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MARY
QUEEN OF SCOTS
VINDICATED.

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AND
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IN THREE VOLUMES.

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MVSEVM
BRITANNICVM

MARY QUEEN OF SCOTS VINDICATED.

CHAPTER THE FIRST.

SECTION I.

THESE are the eight letters, which have now for two centuries been made the grand foundation of calumny againſt Mary. I have proved them to be forgeries, I truſt, in the moſt ſatisfactory manner. The external evidence of the firſt volume, ſo ſtrong in itſelf, has received a wonderful acceſſion of ſtrength, from the internal proofs of the ſecond. And I mean to ſhow here, at the beginning of the third, that FORGERY was ſadly frequent, in the violent claſhings of politicks at this period.

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The human heart, indeed, appears to have particularly rankled at this ſeaſon, into ſins of malignity. Papiſts and Proteſtants ſhared equally in the baleful ſpirit. But FORGERY, I bluſh for the honour of Proteſtantiſm while I write it, ſeems to have been peculiar to the Reformed. I ſhall recite ſome ſtrong facts of this nature. They are dreadful proofs of the profligacy of the times. But I ſhall confine myſelf to the period and the actors in them, with which we are already converſant. And I look in vain for one of theſe accurſed outrages of impoſition, among the diſciples of Popery.

When Murray had forced the Queen to call in the aſſiſtance of her Popiſh ſubjects, in order to free her from the power and dominion of that prince of Proteſtants, "ſhe having but, as it were, the name "and calling," and "he bearing the very ſway of the "regiment [*];" when in that private kind of commiſſion, to which her ſon was ſo frequently obliged to apply in oppoſition to his publick authority, ſhe had directed the Earl of Huntly to come and reſcue her; and when Murray had erected the Queen's ſtandard againſt her very friends, had fought them at Corrichie on October 28, 1562, had defeated them, had killed him, and was now proceeding to the final act of vengeance againſt all, in a general attainder: treaſonable letters were forged in the name of the Earl of Sutherland, were pretended to be found in the pocket of the ſlain Huntly, and were made the ground of extending the attainder to Sutherland himſelf*. A younger ſon of Huntly's was immediately beheaded. The eldeſt, he who appeared ſo ſtrenuouſly for Mary afterwards, was condemned to the ſame fate. But Mary neglected to ſign a warrant for his execution. Upon that account ſome of her miniſters, and (as even bigotry muſt ſuppoſe) one of them at the inſtigation of Murray himſelf; either forged a warrant for her, or induced her to ſign one unknown to herſelf *. In either view, the criminality is the ſame. But the warrant, no doubt, was actually forged. The letters of Sutherland before, and the letters of Mary afterwards, concur to fix the faith of ſcepticiſm itſelf upon the point. And Huntly would have been executed immediately; if the officer, to whom the warrant was addreſſed, had not ſuſpected an impoſition in it. The hand of Mary, in all probability, had been ill imitated by the forger. We know that it was ſo, in the letters to Bothwell. The officer, therefore, rode away in a great hurry to the Queen. He reached the palace late at night. The Queen was gone to bed. Yet he urged to be admitted into her preſence. The Queen ordered him into her bed-room. There he announced to her the pretended execution of her command. She denied ſhe had given any. He produced the warrant, in vindication of what he had *not* done. She was much affected at the ſight of it. She ſaw the villainous hands, to which ſhe had committed herſelf.

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[*] Anderſon, i. Leſley's Defence, 60. The loyal nobles of Scotland ſay, that Murray then "cauſit the Quene's majeſtie "become ſwa ſubject unto him, as hir Grace had bene ane pu-"pill" (Goodall, ii. 357—358). Camden alſo ſays, that "the "Queen—herſelf he held in his power as a tutour doth his pu-"pill" (Tranſ. 90. and Orig. i. 112). And Randolph, in a letter ſo early as November 11th, 1561, calls him expreſsly "the commander of the Queen" (Keith, 202). See likewiſe another letter, November 18, 1562, Keith, 231; another, November 23, 1564, Keith, 265; and Buchanan, Hiſt. xvii. 333.

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* Goodall, i. 197. This author had ſeen more papers than he cites. He had plainly ſeen the curious letter, which Mr. Tytler publiſhed ſince, in N° iii. of his appendix; as is apparent from his language, in i. 409. He had thus ſeen ſome evidence, that proved the forgery of theſe letters. And in i. 327 we find him citing a MS. copy of Buchanan's Detection, "which is thought to be the very copy, that he preſented "to Queen Elizabeth;" without any intimation, where or when he inſpected it. And this negligence in ſuch a writer, obliges us to rely upon his mere declaration at times.

Concerning this temporary kind of civil war, the repreſentations of our hiſtorians are even more than commonly oppoſite. The friends of Huntly affirm all that he did, to be by authority from the Queen (Keith, 229). The enemies of Huntly aſſert it to have reſulted, from his ambitious views for himſelf, and his hatred of Murray (Buchanan, Hiſt. xvii. 338). But it is very remarkable, whatever Buchanan may ſay in his Hiſtory, that in another work, much nearer to the time, he takes part againſt himſelf and the enemies of Huntly, and agrees with his friends. "The *Quene,*" he ſays in 1570, "be "avyis of hir oncles, *devyſit to deſtroy the Erll of Murray*:— "ſche than being deliberat to diſtroy him *be the Erll of Huntlie,* went to the north, and he," Murray, "in hir company" (Chamæleon, 14, vol. ii. Ruddiman). And this addition of authority turns the ſcale fully, in favour of Huntly.

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* So "a letter" was "written by the King's [her ſon's] ſecretary,—and *ſubſcribed with the King's hand*, which he had "*gotten by ſtealth and unawares to the King*" (Camden under 1598, Tranſ. 562, Orig. ii. 169).

She ſighed over the fate of the young nobleman, whom ſhe ſuppoſed to have fallen a ſacrifice to their forgery. But he relieved her by a confeſſion, that the peer was ſtill alive. And then with a particularity, which ſhews very ſignificantly *her own* opinion of the forgers about her, ſhe commanded him to execute no WRITTEN warrant whatever, upon my lord; and to take no order for either his death or his removal, except from her very LIPS *.

With ſuch flagitious men was Mary encircled at this period, when Murray was her prime miniſter, and Morton and Lethington were ſubordinates to him! The ſubordinates accordingly practiſed the frauds of their principal, when he himſelf was abſent. They even preſumed to practiſe them, againſt Mary herſelf. They even had that confidence in the dexterity of their own vileneſs, as to practiſe them in a *letter*. They produced a letter as of Mary's writing to Bothwell, on the 15th of June 1567; the very evening of the day, on which ſhe had voluntary deſerted him, and gone over to them. And they ſhewed it to Kirkaldy of Grange, one of their chiefs, who had ſome remains of honour about him; as their reaſon for ordering her away, the next day, to a priſon. This they pretended to have been betrayed to them, as it was going to Bothwell. But they ventured not to produce, or even to ſpecify, the perſon by whom it was betrayed. They did not even mention the hour, and did not even point out the place, at which it was brought to them. They had to do with a chief however, who was not ſagacious enough to enquire after theſe circumſtances. He had no idea of their diabolical reach of wickedneſs. He read the letter. He thought it genuine. He gave up the Queen. He honeſtly apprized her of it, and of his reaſon for ſo doing. And ſhe was overwhelmed with ſorrow, at the diſcovery of ſuch an impudent act of iniquity againſt her *.

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* Crawford's Lives of Officers of State, 91, on the authority of Gordon of Straloch, "who tells us he had it from his "father the Laird of Pitlurg, who lived *at the time*, and was "the earl's *great confident and truſtee*." Guthry, in his Scotch Hiſtory, vii. 296—297, has attempted to diſcredit this ſtory, as founded on tradition. But the attempt is wild. If a ſtory ſo authenticated is to be rejected, half the hiſtory of mankind muſt be rejected with it. And it is confirmed by a couple of *cotemporary* writers, Jebb, i. 501, and ii. 242.

Dr. Robertſon indeed, with that ſteady attachment to the cauſe of rebellion, which is continually affronting his good underſtanding, and continually enſnaring his natural candour; ſuppoſes the letter to be genuine. In the characteriſtick ſimplicity of the rough warriour, he believes what the leaders aſſert, without any enquiry into the improbable incident. With a credulity, which even Kirkaldy would have been aſhamed to ſhow, he builds hiſtory upon the writing; when even the rebels themſelves (as I ſhall ſoon prove) have long rejected the writing for apocryphal, and have therefore not inſerted it in their canon. Yet he is plainly *ſuſpicious* of its authority, even while he founds his hiſtory upon it. For that reaſon *he does not men-*

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* Melvill, 84.

tion it. He merely *alludes* to it. He durſt not mention, becauſe he could not authenticate. But he choſe to believe. And without any intimation concerning the letter, though with a pointed reference to it, he ſays; that "Mary's affection for "Bothwell continued as violent as ever," and that "ſhe determined not to abandon a man, for whoſe "love ſhe had already ſacrificed ſo much. Melvill; "167 *." So clearly does the Doctor, by his ſtudied *manner*, convict himſelf of a half-known prevarication in his *matter* †!

Mr. Hume, however, acts with more honeſty and more judgment. "It is pretended," he ſays ‡, "that ſhe—even wrote Bothwell a letter, which the "lords intercepted; where ſhe declared, that ſhe "would endure any extremity, nay, reſign her dig- "nity and power, rather than relinquiſh his affec-

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[*] i. 434.

[†] This remark, however ſevere upon the Doctor, has been evidently confirmed ſince I wrote it, by a new edition of his hiſtory. In this *he gives up the letter entirely*. He gives it up indeed, not as abſolutely ſpurious, but as founded upon ſome miſtake in Melvill. "I am ſatisfied," he ſays in ii. 340, edit. 11th, "that Melvil—has been miſ- "taken with regard to this particular." He would willingly ſtifle, indeed, the idea of a forgery in his friends; by an imputation of errour to their hiſtorian. This however is ſome proof of advancing ingenuouſneſs, upon the mind of prejudice. His mind has been eight and twenty years, in riſing to *this* point of altitude in the ſcale. Yet

Eſt aliquid prodire tenus, ſi non datur ultra.

And ſhould he live to publiſh a new edition eight and twenty years hence, he will then, I doubt not, *own the whole to be a forgery*. It aſks half a century, to give an oak a proper appearance of ſtrength,

[‡] v. 122.

"tions, Melvill, p. 84." Melvill's account, indeed, is here overcharged by Mr. Hume. It ſays merely thus: "that ſame night IT WAS ALLEDGED, that "her Majeſty did write a letter unto the Earl of "Bothwell;—calling him her dear heart, whom ſhe "ſhould never forget nor abandon, though ſhe was "neceſſitated to be abſent from him for a time; "ſaying that ſhe had ſent him away only for his "ſafety, willing him to be comforted, and to be "upon his guard." According to Melvill, the letter promiſed "never to forget nor abandon" Bothwell; according to Mr. Hume it declared, "that ſhe would endure any extremity, nay, reſign "her dignity and power, rather than relinquiſh his "affections." So much is the gold of Melvill beaten out and expanded, under the mallet of Mr. Hume! But the latter very honourably refers to his authority, with all the dubiouſneſs which that authority uſes in reciting the ſtory; while Dr. Robertſon appeals to it for a *fact*, which is only mentioned as an *allegation*. And Mr. Hume even ſubjoins in a note, that "the reality of this letter "appears ſomewhat diſputable; chiefly becauſe "Murray and his aſſociates never mentioned it, in "their accuſation of her before Queen Elizabeth's "commiſſioners." So ſtrongly did the light of truth flaſh upon one of Mr. Hume's eyes, even under the bandage which his prejudices had tied over both; that he could not but queſtion the authenticity of the letter. Dr. Robertſon, alſo, had plainly a glimpſe of the ſame light. And he cloſed his eyes, on perceiving it.

This letter is apparently one of the many forgeries, that theſe worſt of all rebels practiſed upon Mary. It was the *firſt* of the rebel letters. It was the PROTOTYPE to all the letters from Mary to Bothwell. Morton and Lethington had been compleatly ſucceſsful, in their *firſt* attempt to impoſe a fictitious letter of Mary's to Bothwell, upon their own partiſans. This, no doubt, encouraged them to make the grand attempt afterwards. Yet, what is very remarkable, the preſent letter was ſo badly fabricated, being the creation of a moment, calculated only for an unthinking warriour, and a firſt effort in this ſerious and ſuperiour kind of forgery; that Lethington and Morton WERE ASHAMED TO PRODUCE IT AFTERWARDS. Though it ought to have ſtood in the very *front* of all the letters to Bothwell; and though it was peculiarly wanted there, to ſhade that horrible perfidy which it was created to cover; yet it never appeared any more. Before the Engliſh embaſſadour, before the Scotch council, before the Scotch parliament, and before the Engliſh commiſſioners at York and at Weſtminſter, when ſo many ſlanders were uttered, and ſo many letters produced; THIS letter of ſlander was always kept back. And from the moment it was ſhown to Kirkaldy, even down to this *inſtant now*, it has never been ſeen, and never been heard of, once. This is certainly a full confeſſion of its ſpuriouſneſs. It is the fulleſt, that *could* be given by *ſuch* men concerning *ſuch* a writing. And the rebels ſtand ſelf-convicted, of this leading and initial forgery *.

We have even another, very nearly of the ſame kind and in the ſame circumſtances. It is ſo nearly the ſame, that it has been hitherto miſtaken for it. For this reaſon, it has never been noticed by any of our writers. Yet it is actually different. It is mentioned in one of Throgmorton's diſpatches. "Of "late," he ſays in his very important diſpatch of July the 18th, "this Queen hath written a letter to "the captain of the ſaid caſtle," Dunbar, "which "hath been ſurprized; and thereby matter is diſ-"covered, which maketh little to the Queen's ad-"vantage †." The former letter was addreſſed to Bothwell; and the latter to the captain of Dunbar caſtle, at a time when Bothwell had been now gone from Dunbar many days, and when in this very diſpatch it is ſaid, that "Bothwell doth *ſtill* remain in "the *north* parts." The former, too, was written and intercepted on the 15th of June; but the latter is ſaid on the 18th of July, to have been intercepted and written "of late;" ſince the 9th of July, when Bothwell's departure was announced to the publick by a proclamation ‡; and only a few days before the 18th. The captain of the caſtle, was the Laird of Whitelaw *. And what could Mary have to write to him? Yet ſhe did write, ſay the rebels, and they intercepted what ſhe wrote. But WHEN did they intercept it? They chooſe not to tell us even this circumſtance, with particularity. They only ſay, that it was "of late." So little were they willing to be tied down to time! They will tell us however, with the greateſt particularity, WHERE, and ON WHOM, and BY WHOM, they ſtopped the letter. They tell us all this concerning the forged eight. Yet they are too cautious, even to tell this concerning the preſent! With ſo much more apparent tokens of forgery, have they given this letter to us! But by this, it ſeems, "matter was diſcovered, "which made little to the Queen's advantage." The rebels, therefore, will certainly produce it againſt her. They will add one more to the many evidences againſt Mary, which the ſottiſhneſs of her love, and the vigilance of their guards, have thrown into their hands. They will exhibit it with the reſt, to the commiſſioners in England. And they will publiſh it with the reſt, for the peruſal of all the world. Yet they do not. They never publiſh it. They never exhibit it. And the whole hiſtory of its exiſtence, is contained in the few lines before. We know only, that it was mentioned to Throgmorton. It was never ſhown to him. It was never

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* The rebels refuted their own tale of the letter *at the very time*, by not mentioning it in their diſpatches to Cecil, and by mentioning another ſlander in the room of it. "She," ſays Cecil of the Queen on June 26th, "*flatly denied to grant juſ-"tice againſt Bothwell, ſo as* they have reſtrained her in Loch-"leven" (Cabala, 1ſt part, 128).

† Robertſon, ii. 378.

‡ V. i. ch. iv. ſect. ii.

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* Cecil in Cabala, part 1ſt, 131, ſays he was the Lord Waughton. But this is a miſtake. He was "Patrick Whytlaw of yat ilk" (Anderſon, i. 148—149), commonly called "the "Laird of Whitelaw," Crawford, 56. See alſo Spotſwood, 213.

never ſhown to any. In this reſpect, it differs from the preceding letter. That appeared, and was ſeen. This was juſt ſpoken of; ſpoken of in a manner too, ſufficient of itſelf to diſcloſe the forgery; and then diſappeared, as a forgery, for ever. The firſt Lord Shafteſbury, that LETHINGTON of a later age, uſed to ſay; that a political falſhood, which could keep up its credit for a day only, was an uſeful implement in the hands of a manager. The rebels, as well as he, acted upon this principle. The preſent letter is one of their political EPHEMERÆ. The preceding one is another. We ſhall ſee others, as we proceed. And the artificers of theſe falſhoods *now* find themſelves, as they deſerve to be, beat down and overwhelmed by theſe, their temporary artifices of lying.

In the ſecond confeſſion of Paris we have a train of letters, ſome *from* Mary, and ſome *to* her; but all nearly in the ſame circumſtances, with the one or the other of the two preceding. Thus we have one, which the Queen is ſaid to have written to Bothwell from Glaſgow, concerning lodgings for the King; "laquelle eſcript DES LETTRES, et a luy "les bailla, dyſant, Vous dires de bouche a Monſ. "de Boduel," &c.; and the anſwer which Bothwell ſent to it; "eſcrivoit,—et, apres avoir faict, "il dict a Paris, Voyla LA RESPONSE." We have alſo another letter from Bothwell to her, received as ſhe was on the road returning to Kalendar with the King; "comme elle retournoit,—il s'addreſſe "un homme de Monſ. Boduel au dict Paris, et "lui baille UNE LETTRE pour la preſenter a la

"Royne, ce qu'il fit;" and the Queen's reply to it; "elle reſcript UNE LETTRE." Then we have another letter of the Queen's, which ſhe wrote late at night from Kirk-a-field to him; "eſcrivoit de "LETTRES a Monſ. de Boduel, et les envoye par "le dict Paris au Sieur de Boduel environ l'onze "ou douze heures de nuit;" and his return to it; "il RESCRIT, eſtant au lict." And we have finally a letter of hers from Linlithgow, and a letter of his from Halton near it; "la Royne reſcript UNE "LETTRE par le dict Paris;" and Bothwell, "apres "avoir ESCRIPT,—dit au dict Paris," &c. We have thus four couples of letters betwixt Bothwell and the Queen, in this confeſſion.

But what became of theſe letters afterward? The firſt to Bothwell is intended for the firſt of the eight. Where then are the others? Where are Bothwell's, particularly? Theſe muſt be of conſiderable importance in themſelves. They would elucidate the ſcheme of the murder, in the ſelection of the lodgings, compleatly. And the addition of his letters to hers, would corroborate the teſtimony of the latter very greatly. Yet, notwithſtanding theſe powerful reaſons for exhibiting Bothwell's letters; and though the rebels might with as much eaſe, and with more judgment, have diſcovered ſome of his letters in her cuſtody and in her ſilver box, as well as hers in his cuſtody but in her box; yet they never pretended to any of his. They could not imitate his writing, though they could hers. They therefore left the *love-ſick* Mary, to loſe or to deſtroy (for ſhe could not have concealed)

cealed) all his letters; and the *cold-hearted* Bothwell, to preſerve hers carefully. So awkwardly is this whole machine of forgery put together! And ſo ſurely, the moment we come to ſee it work, do we hear the wheels grating and jarring againſt each other; and half the movements obſtructed, by ſome counter-movements within! What, however, becomes of the three remaining letters of Mary's? They will undoubtedly be produced, though Bothwell's are not. Yet they are not. The letter written between Glaſgow and Kalendar, was never produced at all. It is not even noticed in the journal. It is equally rejected by this rebel regiſter of the letters, with the letter to Bothwell on the 15th of June, and with the letter to the captain of Dunbar caſtle afterwards. And it is therefore pronounced ſpurious, by the authoritative voice of the rebels themſelves. But the other two are noticed in the journal. One of theſe is the letter from Kirk-a-field, on February the 7th. The other *meant* to be the letter from Linlithgow, of January the 29th. But, by a confuſion that expoſes the forgery at once, *this* miſtook the Queen's abode at Linlithgow on April 23, when by the journal no letter was written at all; for that of January the 29th, when by the ſame authority one was written. Thus the confeſſion makes her ſend a letter from Linlithgow on April the 23d, and not one on January the 29th; while the journal makes her ſend one on January the 29th, and not one on April the 23d. And *this* therefore is evidently ſpurious. It was accordingly not produced by the rebels; though its counterpart, or itſelf, whichever we may call it, *alter et idem*, is expreſsly mentioned in the journal. But the letter from Kirk-a-field was produced. It was produced at York. It was ſuppreſſed, however, at Weſtminſter. It was ſuppreſſed for ever afterwards. And a ſuppreſſion after an exhibition, pleads more ſtrongly perhaps, than a regular ſuppreſſion from the beginning; certainly pleads with a deciſive powerfulneſs; for the forgery of the letter *.

We have alſo another letter in this confeſſion, that, from the ſlight and incidental mention of it, is likely to eſcape all obſervation. Paris ſays, that on the day Bothwell imparted the deſign of the murder to him, which by his firſt confeſſion appears to have been "Wedneſday or Thurſday before the "Sunday of the King's murder †;" and which was the day the Queen lay at Kirk-a-field for the firſt time, "qui fuſt le meſme jour que la Royne couchaſt "au logis du Roy a Kirk-a-field;" at night, "ceſte "nuit," ſhe ſent him betwixt eleven and twelve, "environ l'onze ou douze heures de nuit," with one of the letters above to Bothwell. He went, delivered the letter, and returned with an anſwer. It was now Friday morning, "eſtant de retour vers "la Royne Vendredy au matin." And *that very night*, being the *ſecond* night of the Queen's lodging at Kirk-a-field, ſhe ſent him back again with another letter to Bothwell; "ce Vendredy, la *nuit* la "Royne coucha *encores* au logis du Roy,—lui *renvoya derechef* porter DES LETTRES au Sieur de "Boduel*." Mary is thus deſcribed, as writing with a wonderful rapidity of correſpondence to a man, who was only in her own palace of Holyrood-houſe, and with whom ſhe had or might have been converſing all the day, on Thurſday and on Friday; upon no incidents that had emerged ſince ſhe left Holyrood-houſe and him, and merely becauſe every day brought them nearer to the night of the murder. But then, for this very reaſon, the letter will be produced, to ſhew the rapidity from the date, to evidence the eagerneſs of Mary for the work, and to blaſt her eyes with the view, of this additional monument of her detected iniquity. Yet it is not produced. It is never ſhown. It is never pretended to be ſhown. And it is never pretended to be poſſeſſed by the rebels.

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* Goodall, ii. 76, 77, 78, 80, 81, 83, and 84. Though the letter from Linlithgow *in the confeſſion*, was thus ſuppreſſed at Weſtminſter and at York, together with the letter from Linlithgow *in the Journal*, the two *Soſias* of this *play* of ours; yet the *former* was particularly noticed many years afterward by Buchanan. "Inde," he ſays, Hiſt. xviii. p. 356, and means Linlithgow, "ad Bothuelium ſcripſit per Paridem, quid de "*raptu* fieri vellet." And this ſhows us again the perpetual *verſatility* of guilt.

† Goodall, i. 137.

We have thus no leſs than SIX letters of the Queen's, atteſted by the rebels to be genuine, and yet reprobated by the rebels as ſpurious. They appear to have been all launched, like ſo many bubbles, upon the boſom of the air; in order to delude Kirkaldy, Elizabeth, and all mankind, with their ſpecious ſhow. They accordingly glittered for a time. But their time was ſhort. It was ſhorter with ſome than with others. Some juſt ſhone and dropt. Others wore their artificial luſtre for a longer period. But the longeſt duration was only ſhort. Then they all burſt ſucceſſively. And theſe ſeemingly ſolid gems melted away into air.

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* Goodall, ii. 79, 80, and 81.

But we have other letters of Mary's, that equally melted away. We ſee a whole ſet of them appearing in the ſilver box with the eight, and even produced with the eight at Weſtminſter. They were in Scotch, while the eight were in French. They were witneſſes with the eight, to Mary's hatred of her huſband, and to Mary's love of Bothwell. Yet they were withdrawn, while the eight remained behind. And, while the eight were allowed to walk the world and enjoy the ſun, theſe were remanded back into the dungeons of darkneſs in which they were born, and there ſtrangled by the murderous hands of their own parents.

SECTION II.

BUT let us now paſs from letters to other writings forged by the rebels. And let me particularly mention at ſome length, a forgery of a ſtill more extraordinary nature, than any that I have mentioned yet; one which comes next in order of time, and which, equally with ſeventeen of the preceding, involves all the leaders of the rebellion in its criminality.

In the parliament of December 1567, ſaid the rebels in a formal addreſs to the Engliſh commiſſioners at Weſtminſter, "ſome of them which be now their "adverſaries were preſent, and gave their voyce "to the ſame" law for depoſing and impriſoning Mary, "without contradiction *." The rebels even "produced and ſhewed a wryting, ſigned by Mr. "James Macgill, clerk of the regiſter; conteyning a requeſt, by way of proteſtation, by the "Erles of Huntly and Argile, and the Lord Herrys; by the which they require to have no faulte "imputed unto them, for not doing their duty "ſince the 10th of June 1567," the commencing day of the rebellion, "until the 29th of December "then following," the concluding day of this parliament; "for the which, by order of parliament, "they were acquitted: which wryting was produced "by them, to ſhew in what ſorte the ſaid Erles and "the Lord Harrys had acknowledged in parliament, their obedience unto the King" the infant ſon of Mary †. They accordingly exhibited, what they called "an authentick extract or exemplification of a proteſtation" made by them. In this the peers deſire, "that na fault ſuld be imput to "thame,—albeit thay haif nocht done ſik thingis "as thay ſuld haif done, obediently and as became thame of thair dewtie." Then the Regent is ſaid to have "declared, that he forgaf and forgevis the ſaidis Erlis and Lord, for ony occaſioun "bygane; and, ſiclike, all uther liegis of this "realm, quhilks will in tyme cuming aſſiſt to the

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* Goodall, ii. 234.

† Ibid, 236—237.

“ Kingis Majeſtie and his Regent.” This declaration from the Regent “ being voted be the three “ eſtatis of parliament, thay in like wiſe declared “ according to the foreſaid declaratioun of the ſaid “ Lord Regent; quhairupon the ſaidis Erlis and “ Lord aſked inſtruments.” And the proteſtation is finally atteſted thus: “ extractum de libro actorum parliamenti, per Magiſt. Jacobum Makgill “ de Rankillour-Nether, clericum rotulorum re-“ giſtri, et conſilii S. D. N. regis, ſub meis ſigno “ et ſubſcriptione manualibus. JACOBUS MAC-“ GILL *.” All this carries with it in appearance, every note and evidence of authenticity, that a record can poſſibly lend. Yet it is all an impoſition, played off by the hands of ſuperlative knavery, upon the faith and honeſty of the world. This may be proved, with an uncommon force of evidence. This may be proved, from the very rebels themſelves. This may be proved too, from the united atteſtations of the royaliſts. And I ſhall lay this unknown mine and counter-mine of iniquity, all bare to the eye of the ſun.

When the rebels had made their addreſs and preſented their paper before, to the commiſſioners of England; they thought they had not yet gone far enough, in their courſe of forgery. Ever ſpurred on by the ſuſpicious activities of guilt, they could never ſtop in their career, till they had reached the goal. They therefore preſented another paper to the commiſſioners; and at the very time probably, when

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* Goodall, ii. 237.

they preſented the three additional letters, the bond for Bothwell's marriage, and the rebel journal. This is not noticed by the commiſſioners, any more than the journal, the bond, or the letters. But, equally with ſome other papers preſented by the rebels, it is found repoſited in the paper-office *. And it tells us evidently by its language, that it was drawn up by the rebels. They intended by it to fortify their former paper, and to entrench themſelves behind a double line of works. But, with the curſe that has ſo repeatedly attended the operations of theſe head-engineers in villainy, they have drawn their ſecond line in ſuch a manner, as, in the hands of an enemy, to prove a perfect countervallation to the firſt. And they have directly refuted their previous, by their ſucceeding, forgery.

This ſecond paper is called " an account of " Lord Herreis's behaviour in the parliament " held December 15, 1567." In it Lord Herris is ſaid to have " made a notable harangue, in the " name of the Duke and himſelf, their friends and " adherents (the Duke himſelf, the Earl of Caſ- " ſilles, and the Abbot of Kilwinning, being alſo " preſent) to perſuade the union of the whole realm " in one mind." In this ſpeech, ſay the rebels, " he did not ſpare to ſet forth ſolemnly the great " praiſe *that* part of this nobility did deſerve, which " in the beginning took meanes for puniſhment of " the Earl Bothwell; as alſo, ſeeing the Queen's " inordinat affection to that wicked man, and that

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* Robertſon, ii. 385.

"ſhe could not be induced by their perſuaſion to "leave him, that, in ſequeſtring her perſon within "Lochlevin, they did the duty of noblemen." He added, they ſay, "that *their* honourable doings, "which had not ſpared to hazard their lives and "lands, to avenge their native country from the "ſlanderous reports that were ſpoken of it among "other nations; had well deſerved, that all their "brethren ſhould join with them in ſo good a "cauſe: that he, and they in whoſe names he did "ſpeak, would willingly, and without any compulſion, enter themſelves in the ſame yoke, and "put their lives and lands in the like hazard, for "maintenance of our cauſe; and if the Queen herſelf were in Scotland, accompanied with 20,000 "men, they will be of the ſame mind, and fight in "our quarrel." He is reported alſo by the rebels, to have expreſſed his "hope, the remainder noblemen of their party, Huntley, Arguile, and others, "which had not as yet acknowledged the King, "would come to the ſame conformity, whereunto "he would alſo earneſtly move them; and, if they "will remain obſtinate, and refuſe to qualify themſelves, then will the Duke, he, and their friends, "join with us to correct *them*, that otherwiſe will "not reform themſelves." And, as the rebels remark upon the whole, "ſo plauſible an oration, "and more advantageous for our party, none of "ourſelves could have made: he did not forget to "term my Lord Regent by the name of Regent "(there was no mention at all of the Earl of Murray) and to call him Grace at every word, when

" his ſpeeches were directed to him; accompany-
" ing all his words with low courteſies, after this
" manner *."

This is a moſt extraordinary forgery, in addition to the other. It even exceeds that, in the bold bravery of lying; though it is exceeded by that, in the formality of falſification. But it comes in happily, to prove the forgery of both. Some animals, in attempting to ſwim, are ſaid to cut their own throats. The dexterity of forgery is often only its own bane. And it is peculiarly ſo here.

We were told by the rebels before, that " ſome " of them which be now their adverſaries, were " preſent" in parliament, " and gave voyces to the " ſame without contradiction;" and we are told by the rebels now, that " ſo plauſible an oration, and " more advantageous for our party, none of our- " ſelves could have made." So far the two papers agree together. But they agree no farther. " To " ſhew *in what ſorte*—Lord Herris," and others, " had acknowledged in parliament their obedience " unto the King;" the rebels produced the *firſt* paper. This is " a requeſt by way of proteſtation, " —by the which they require to have *no faulte* " *imputed unto them*, for *not* doing their duty," ſince the commencement of the rebellion. Accordingly, in the paper itſelf, they proteſt " that " *na fault ſuld be imput* to thame, nor any of thame, " —albeit thay haif *nocht* done ſik thingis as thay " ſuld haif done, obedientlie, and as became thame

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* Robertſon, ii. 385—386.

"of thair dewtie." And the Regent and three eſtates "forgaf and forgevis" them, "and—all uther "liegis—quhilks will, *in tyme cuming*, aſſiſt to the "Kingis Majeſtie and his Regent." But, in the *ſecond* paper, we ſee Lord Herris and his friends "acknowledging their obedience unto the King," in a manner very different from all this. They do not *now* requeſt forgiveneſs, and *ſo* ſhow their obedience. No! They ſpurn at this creeping and groveling kind of diſloyalty to Mary. They mount upward into the higheſt element of ſedition, with boldneſs. They there inhale the fouleſt atmoſphere of rebellion, with eagerneſs. And they breathe it out again with as loud a trumpet of treaſon, as even any of the rebels themſelves could have ſounded. They aſſert "the Queen's *inordinat affection* to that wicked man" Bothwell. They own to the rebels, in conſequence of this, that "in ſequeſtring her perſon within Lochlevin, they *did* "*the duty of noblemen.*" They declare to them, "they—will enter themſelves in the ſame yoke, "and put their lives and lands in the like hazard, "for maintenance of the cauſe." And they even aver that, "if the Queen herſelf were in Scotland," and "accompanied with 20,000 men" there; "they "will be of the ſame mind, and fight in the quar"rel" for the rebels. So very different is this account of their behaviour, from that! Even ſo oppoſite and contradictory is it! And ſo clearly does each convict the other of forgery!

But indeed the outrageouſneſs of ſuch a ſpeech as this, from ſuch a man as Lord Herris, betrays its own forgery ſufficiently of itſelf. He was uncommonly brave, ſteady, and reſolute. He ſtood by the Queen with an unremitting ſpirit of vigour, for many years. He very early challenged Murray to his face, with a knowledge of the intended murder of Darnly *. He even offered to fight with Murray, upon this challenge †. *That* he did, before the parliament was held in 1567; and *this*, a twelvemonth afterward. And he actually offered, about a year after the latter fact, to fight with Morton, as equally privy to the intended murder ‡. Yet even he is repreſented, making "ſo plauſible an oration, "and more advantageous to their party," as, "none "of themſelves could have made." Thus the ſtern and ſturdy oak, that thruſts its head into the ſky without fear, and mocks at all the tempeſts of it; is turned by the magick hand of fiction into a mere willow, that plies to every breeze. But, to heighten the abſurdity ſtill more, Herris is ſaid to have "accompanied all his words with *low courte*-"*ſies*" to Murray. And the hardy, gallant hero is exhibited to the world, in all the ridiculous attitudes of a *petit maître*; and made to

> Duck with French nods and apiſh courteſie.

The truth is, that his very inflexibility of virtue and ſpirit, has drawn from the rebels this legendary account of him. They took their revenge for his challenge of Murray particularly, in this bold and daring defiance of all facts concerning him. They *therefore* deſcribed him, as aſking forgiveneſs for his oppoſition to them. But ſuch guilt as theirs, has never the diſcretion of ſtopping. They muſt go on, in their poor revenge. They muſt deſcribe him, as ranting with them all in the inſanity of treaſon. They thus diſcloſed the impoſture to every eye. And they equally diſcloſed it, by a ſlight and incidental neglect in their forgery. "If the "Queen herſelf WERE in SCOTLAND," they make him ſay, he would fight againſt her. Where then was the Queen, at the pretended period of uttering this ſpeech? She was actually in SCOTLAND then. She was actually in Lochlevin. But ſhe was *not*, it is plain, when the ſpeech was *forged* for Lord Herris. She was *then* in ENGLAND. And the forgers were ſo little attentive to the courſe of their own ideas, as once to write to the *preſent* moments, even while they were forging for the *paſt*; to expoſe their forgery by their confuſion; and to ſhow it was made at the time in which it was preſented, even during the conferences in England.

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* Leſley's Defence, 75. Anderſon, i. 271—273.

† Goodall, ii.

‡ Melvill, 100.

But let us attend to another proof of the forgery, that is ſtill ſtronger than all theſe. Lord Herris is made to utter this ſpeech, "in the name of the "DUKE," the Duke of Chatelleraut, then the only Duke in Scotland, "and himſelf, their friends and "adherents; the DUKE himſelf, the Earl of CAS-"SILLES, and the Abbot of KILWINNING, being "alſo preſent." Yet *not one of all theſe*, except Herris himſelf, *was ever preſent* at this parliament. This may be proved, from a paper ſigned and atteſted by Herris and Kilwinning themſelves, from a ſpecial record of the time, from the concurrent aſſertions of Buchanan, and from the very rolls of parliament. "Ane gryte part of the nobilitie," ſays the paper, "and *ſpeciallie* of THE MAIST PRINCI-"PALLIS," of which the Duke muſt neceſſarily be "one; never obeyit, *voitit*, or ſubſcrivyt with thame, "but ever enrollit and held thair courtis in the "Quenis Majeſtie thair ſovereignis name; and "utheris, quhilk *did* compere in the ſaid pretendit "parliament," &c.* *Thoſe*, therefore, did *not* appear in this parliament. Indeed the Duke could not poſſibly appear in it. He was not even in SCOTLAND then. He was actually in FRANCE. From thence, as he had a right of eventual ſucceſſion to the crown, he ſent a perſon to proteſt in his name, againſt any infringements upon the ſucceſſion, which Murray and his parliament might make. With this commiſſion the perſon deputed came into Scotland, and waited upon Murray. But Murray refuſed him all admittance into the parliament-houſe. "Giff the Duk," he cried, "WILL NOT CUM HEIR, and join himſelf with us, "let him luk for nothing heir; and giff he *pro-*"*pones*, as we underſtand, *our deſtruction*, and *ta* "*cut owr throwts*, ye ſal be aſſurit, that we ſal "find remeid, and cut his and all theirs that wald "ſo do, rather or ours ſuld be cuttit †." The Duke, therefore, was undoubtedly *not* preſent at this parliament. He was not even in the iſland. He was even "proponing the deſtruction" of the rebels who held it, at the very period of holding it. Yet Buchanan takes a ſtill larger range, in his intimations. He goes beyond the Duke, to all his adherents. In a ſmall political pamphlet, which he wrote in 1570, and called "an admonition to the trew lordis," he ſays, "of the Hamiltounis," and of this parliament; that "there wold NANE OF THEM CUM TO PARLIAMENT, to further thair deſyre with *ane anerlie* [only] *vote*, but LAY BAKE to keip tham ſelfis at libertie to reproif *all*, that ſhould be done in that conventioun *." Accordingly, they are not named as appearing, by the rolls of it. The Duke is not upon the rolls. The Abbot of Kilwinning is not upon them. And the Earl of Caſſils is not †. The ſpeech then, which ſays they did attend, and which ſays they concurred with Lord Herris in it, is demonſtrably proved to be falſe.

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* Goodall, ii. 168—169.

† Extract from the Proxy's Report, among Goodall's MSS. Stuart, i. 277.

But there is another demonſtration, lying latent in the ſame circumſtance. The peers, who are reported in the *firſt* paper to have attended in this parliament, and to have acted in union with Lord Herris in it, are *not* the Duke, the Earl of Caſſils, and the Abbot of Kilwinning, as in the *ſecond* paper; but the Earls of HUNTLY and ARGYLE. Yet both theſe the ſecond paper very plainly declares, to have *not appeared* in this parliament,

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* P. 4, Ruddiman, vol. ii. See alſo p. 5, and advertiſement at the end, for the year in which it was written.

† Anderſon, ii. 228—230.

"He hoped," Herris is made to ſay, "the *remainder* noblemen of their party, *Huntley*, *Arguile*, "and others, who *had not as yet acknowledged the* "*King*, would come to the ſame conformity, whereunto he would alſo earneſtly move them; and, "if they will *remain obſtinate*, and *refuſe to qualify* "*themſelves*, then will the Duke, he, and their "friends, join with us to correct them, *that other-* "*wiſe will not reform themſelves*." And the royaliſts preſent when this ſpeech was uttered, are ſaid before to have been "the Duke himſelf, the Earl of "Caſſilles, and the Abbot of Kilwinning" only. It thus includes, among the attending members of parliament, thoſe who did not attend and alſo excludes from the number, thoſe who did actually attend. Argyle and Huntly, thus ſpoken of as abſent in the ſecond paper, are poſitively declared to have been preſent by the firſt. And they were undoubtedly preſent; the rolls of parliament equally ſpecifying theſe, and omitting thoſe.

So evidently does this ſpeech contradict the proteſtation before! So evidently does that proteſtation contradict this ſpeech! And ſo unwarily have theſe bungling electricians managed their dangerous machine; as to charge it full of lightening, with a deſign of pouring it all upon the head of Mary; and yet to receive the full ſtream of its fires, into their own bodies! We can, however, demonſtrate the forgery of both, not merely from their wild and mad oppoſition to each other, but from their equal and common oppoſition to facts. In the reply of the Queen's commiſſioners to the anſwer of the rebels, before the commiſſioners of England; we have a number of uſeful and important truths, unfolded to us. I have cited ſome from it, in the preceding parts of this work. I have cited one immediately before. And I ſhall now cite the ſame paſſage again, with a much longer paſſage attached to it; as a full evidence againſt both theſe forgeries together.

We are told by the rebels before, that the Earls of Huntly and Argyle, and the Lord Herris, did in the parliament of December 1567 "acknowledge their obedience" unto the new King, by requeſting the remiſſion of all their offences ſince June the 10th before; not their offences againſt the King, for he was not crowned till July 29th *, but their offences againſt the rebels themſelves; who broke out into rebellion on the 10th of June; that the Regent and the three eſtates in parliament did grant them a remiſſion, on condition of their future obedience to the King; and that the three peers upon this "aſked inſtruments," that is, took formal atteſtations of their own remiſſion: or, as the rebels afterwards *recollected the fact to be*, that Herris, in the name of the Duke of Chatelleraut, of the Earl of Caſſils, of the Abbot of Kilwinning, then preſent, and of himſelf, made a violent ſpeech againſt the Queen; accuſing her of "inordinate "affection" for Bothwell; approving of her impriſonment and depoſition; declaring him and them, ready to join in the cauſe againſt her; even vowing to fight againſt her; and even promiſing to fight againſt his and their abſent friends, Argyle and Huntly, if they would not join them in their defection from her. Yet Lord Herris, the Abbot of Kilwinning, and the other commiſſioners of the Queen, do declare all this to be abſolutely falſe; and even without knowing a word of it. They declare it to be falſe, only by telling us what is true. In a formal paper, ſigned and atteſted by John Biſhop of Roſs, Lord Boyd, *the Abbot of Kilwinning*, *Lord Herris*, Lord Livingſton, Sir John Gordon of Lochinwar, and Sir James Cockburn of Skirling, and given in by them to the commiſſioners of England; we have this account. "Ane gryte part of the nobilitie," they ſay, "and ſpeciallie of the maiſt principallis, never obeyit, voitit, or ſubſcryvit with thame, but ever enrollit and held thair courtis in the Quenis Majeſtie thair ſovereignis name; and *utheris*, quhilk did compere in the ſaid pretendit parliament, *tuik inſtrumentis* and *proteſtatiounis*, baith in articlis," in the previous committee of the lords of the articles, "and at the voyting tyme in plane parliament;" not proteſtations of requiring to have no fault imputed to them for their obedience to Mary, and not inſtruments of their own remiſſion from the infant and unwitting uſurper of Mary's throne; but inſtruments and proteſtations, "that THAY CONSENTIT TO NA HURT OF THE QUENIS MAJESTIE'S perſoun, ESTAIT ROYALL, nor CROWN, farther nor her Hienes WALD FRIBLIE APPREIF HIRSELF, BEING AT LIBERTIE; nor yet WALD

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* Appendix, N° x.

"VOIT IN ONIE THING CONCERNING HER GRACE'S "HONOR NOR LYFE; bot PLANELIE OPPONIT "THEMSELFIS IN THE CONTRARE, howbeit THAT "HAIF CAUSIT INSERT UTHIRWAYIS IN THAIR "PRETENDIT ACTIS, and WILL SUFFER IN NA "WAYIS THAIR CLARKIS TO GIF FURTH THE "FORESAID PROTESTATIOUNIS *."

This is very peremptory. It carries the proof of the whole forgery, to its full point of perfection. Whatever the rebels dared to ſay, and they dared to ſay whatever their heart dared to ſuggeſt; Herris and his friends never ſpoke in favour of the rebels, never confederated with the rebels, never confederated or ſpoke againſt the Queen, and even entered formal proteſtations that they would not. Theſe proteſtations the rebels could not prevent them from entering. But they could ſuppreſs them afterwards. They therefore would not ſuffer their clerks, Makgill and his deputies, to deliver out any

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* Goodall, ii. 168—169. It is alſo become additionally requiſite to note this, as Dr. Robertſon, in the laſt edition of his hiſtory, has inferred from the appearance of ſome of theſe lords in the rebel parliament, that they "*aſſiſted* in framing "all the acts, by which the Queen was deprived of the crown, "and her ſon ſeated on the throne; and in particular *concurred* "in the act, by which it was declared, that whatever had be- "fallen the Queen "'was in her awin default, in ſa far as,'" &c. ii. 325. From ſuch a calumny, ſo falſe and ſo enormous, it is only common charity to vindicate theſe worthy loyaliſts. And in the ſame edition, ii. 339, we have even Lord Herris's forged ſpeech cited, for the Queen's "inordinate affection" to Bothwell. So much, even in the xith edition of his hiſtory, is Dr. Robertſon's account of facts vain and viſionary!

any copies of theſe written inſtruments, after they were entered. They could then venture upon a ſtill more impudent deed of diſhoneſty. They denied, that the peers had made any ſuch proteſtations at all. They aſſerted, that they had voted with them in the parliament. They affirmed, that they had acknowledged obedience to the new King, by ſoliciting and receiving a pardon for their diſobedience before. Then kindling, like a chariot-wheel, with their own motions, they proceeded further to aver; that Herris and *others*, whom they ſtrangely miſtook for the *ſame*, had even acknowledged obedience in the moſt violent terms of treaſon againſt Mary, had abuſed her with all the rankneſs of rebel ſcurrility, and had offered to riſque their lives, to ſtake their lands, and (as I may add) to pawn their very ſouls too, in aid and ſupport of the rebel cauſe. They actually forged a ſpeech for Herris, to this purport. They actually forged a proteſtation to this purport, for Herris, Argyle, and Huntly. They even made their principal clerk, Makgill, to exemplify the forged proteſtation by his own ſign manual and ſubſcription. And they crowned all, by making Makgill alſo to enter a bold and daring lie upon the journals of parliament; to aſſert the concurrence of thoſe with them, who had actually proteſted againſt them; and to bear down all their formal inſtruments of proteſtation, by the very brunt and ſhock of audacious falſhoods.

SECTION

SECTION III.

TO ſuch a pitch of impudence and impoſture, did theſe men now mount in conjunction! But even theſe are not all their forgeries. We have ſtill more behind. And let us now beat this entangled covert again in queſt of the remaining game, again mark the knaveries as they riſe up before us, and again ſhow them in all their livelieſt attitudes of villainy, to the publick eye.

One of theſe forgeries I have noticed before. This is the warrant which the rebels produced at York, ſigned pretendedly by the Queen, and authorizing the Lords to ſubſcribe the bond, for recommending Bothwell as a huſband to her. A recommendation of this nature to her, which was previouſly recommended by her, is ſuch a monſter in life, as deſtroys its credibility by its abſurdity. The rebels, therefore, very wiſely ſuppreſſed it at Weſtminſter. They equally produced the bond, as at York. But this very bond *precluded* in *terms* the warrant. It profeſſes to "fortifie the ſaid Erle to "the ſaid mariage, ſo farr as it MAY pleiſe our ſaid "ſoverane Lady to allow [*]." And the Engliſh commiſſioners at York, in the very moments of producing the warrant to them, ſpeak in the very ſame ſtyle concerning the bond; declaring it to contain "a generall conſent to Bothwell's mar-"riage with the Quene, ſo far forthe as her owne "likings SHOULDE allowe [†]." This language proves deciſively, that the Queen had not *then*, at the moments of *ſubſcription*, very ſtrikingly allowed the bond by the warrant, and had not proved her liking very ſignificantly for the marriage. For this and other reaſons probably, they carefully ſuppreſſed the warrant at York. They did not even make the ſlighteſt mention of it. They mentioned it no more, than the letter of the 15th of June, the letter of the 18th of July, and the four letters of the confeſſion. And they once more betrayed their knavery, by their modeſty.

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[*] Anderſon, i. 110.

[†] Appendix, N° v.

In 1567, Kirkaldy was as little ſuſpicious as an honeſt man generally is, of any practices of forgery among his friends. But in 1569 he could practiſe them himſelf. He had too long been aſſociated with knaves, not to catch the infection of their knavery. The human body aſſimilates itſelf by degrees, to any variation of climate. The human mind is equally pliant. And the companion of forgers, became a performer in forgery ſoon. In order to reſcue Lethington, from the now hoſtile hand of Murray; theſe profligates ſucceſſively quarrelling with each other, and ſucceſſively endeavouring to inflict the puniſhment, which they knew each of them deſerved; while

> even-handed JUSTICE
> Return'd th' ingredients of their poiſon'd chalice
> To their own lips:

Kirkaldy made no ſcruple to forge a warrant, or to have one forged, in the name of Murray; to retort the man's own practices upon himſelf; to produce it to the Keeper of Lethington; and ſo to get Lethington's perſon into his own poſſeſſion *.

"In the library of the univerſity of Glaſgow," ſays Anderſon in his General Preface †, "there is "an original bond, conſiſting of ſeveral ſkins of "parchment; ſigned by one hundred and twelve of "the nobility and gentlemen of prime note in "Scotland, upon Queen Mary's [pretended] re"ſignation of the government in favour of her ſon; "which" has been "—publiſhed by—Dr. Burnet, "late Lord Biſhop of Sarum, in—his Hiſtory of "the Reformation—, but not with the names of "all the ſubſcribers; and being generally thought "a paper of great importance, I have therefore pub"liſhed it—with the ſubſcriptions at full length." And, as Anderſon in another place ‡ adds, "what "the diſpoſition of the nation was at the time of this parliament," in December 1567; "may in "ſome meaſure appear from the bond, then enter"ed into by ſo many of the clergy, nobles, gentle"men, and barons." Yet there is ſufficient evidence to convince us, that this boaſted bond has paſſed through the hands of forgery, and that forgery has been buſy in enlarging its liſt of ſubſcribers.

Biſhop Burnet, ſays Anderſon, has not publiſhed the names of *all* the ſubſcribers. Indeed, ſays Keith ‖, "the ſubſcriptions in the biſhop's copy "come *far ſhort* of Mr. Anderſon's; neither are "they *in the ſame order*, ſo far as *they proceed to-*

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* Buchanan, Hiſt. xix. 383.

† P. xiii.—xiv.

‡ P. xxxvi.—xxxvii.

‖ P. 434.

"*gether.*"

“*gether.*” But, what is more, the original (as Anderſon tells us) is “ſigned by *one hundred and* “*twelve*;” and yet his own copy contains nearly double the number, even *two hundred and ſixteen* *. This is a very extraordinary variation. Nor can any apology be made for it, by ſuppoſing his account to take in only 112 of the firſt, or 112 of the principals. After the firſt 112, come ſeveral gentlemen of conſequence, and even ſome *knights*; as 115 is “Jhone Edmiſtoun of yat ilk, knycht;” 142 “John Cockburn of Ormiſton,” a family well known to be of conſequence; 160 “Thomas Ker “of Fernheſt,” a family better known to be ſo; 162 “Gylbert Ker of Prudenſyd, knycht;” 164 “Thomas Turnbull of Badroule, knycht;” 167 “Lochinwar,” meaning Sir John Gordon of Lochinwar; 174 “Charles Murray of Cokpuill,” a man of conſiderable fortune †; &c. &c. Anderſon even ſpeaks of the ſubſcribers *in general*, as men of weight in the ſcale of the ſtate. The bond, he ſays, was ſubſcribed by “ſo many of the clergy, “nobles, gentlemen, and barons,” that he infers the main body of the nation, to have taken part with the rebels. “It is obſervable,” he even adds, “that moſt of the perſons ſubſcribers of that bond, “and of thoſe who were preſent at the parliament “in December 1567; are the ſame with thoſe, who “attended the parliament or convention in Auguſt “1560 ‡.” Moſt of the ſubſcribers, therefore, were members of parliament. And Anderſon accordingly ſpeaks of all the ſubſcribers, as "one hundred "and twelve of the nobility and gentlemen of "prime note in Scotland;" without one intimation that there were any others beſides, and with an obvious import that "one hundred and twelve" were all.

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* See it in ii. 233—240. † Peerage, 180. ‡ P. xxxvii.

So negligently has the bond been publiſhed by Burnet, and been ſpoken of by Anderſon! But Anderſon has ſpoken of it ſtill more negligently. He infers the concurrence of the nation with the rebels, from the number of ſubſcribers to it, when *many* of the ſubſcribers are apparently *loyaliſts*; when the *ſecond* and *third* on the liſt are HUNTLY and ARGYLE, thoſe pre-eminent loyaliſts at the time; and when FORGERY ALONE COULD HAVE INSERTED ALL, OR SOME, OF THOSE NAMES. That the names of Argyle and Huntly, particularly, are inſerted by the pen of forgery; we have a ſufficient evidence in what I have already ſhown, of their real behaviour at the rebel parliament, and of the falſhoods forged by the rebels concerning it. They would ſo little ſubſcribe to the rebellious bond of aſſociation againſt Mary, and ſo little agree to *crown* her ſon in her ſtead, to *transfer* their allegiance from her to him, and to *ſupport* him in his uſurpation againſt her and all oppoſition; that they "wald "not voit in *onie* thing, concerning her Grace's "honor nor lyſe; but planelie opponit themſelfis "in the contrare" by formal proteſtations. They "tuik inſtrumentis and proteſtatiounis, baith in articlis, and at the voiting tyme in plane parliament; "that thay conſentit to na hurt of the Quenis Ma-

"jeſtie's

"jeſtie's perſoun, eſtait royall, nor crown, farder "nor her Hienes wald frielie appreif hirſelf, *being* "*at libertie*." And their names unite with thoſe of other loyaliſts, to ſhew the fingers of forgery very plainly ſoiling the liſt.

One of theſe other names even comes in, as an additional mark of forgery. In Douglas's Peerage * we are told, that "James, third Lord Carlyle,—was one of thoſe noble patriots, that entered into that memorable aſſociation, obliging "themſelves to ſtand by Queen Mary with their "lives and fortunes, &c. anno 1568. MS. in the "advocates library, p. 167." This aſſociation was entered into, on May the 8th, 1568. Yet JAMES Lord Carlyle, we are told, entered into it. And this gives us a ſpecific proof of the forgery. In the liſt of ſubſcribers to the rebel bond, and the *twenty-fourth* in the liſt, is this ſignature, "MICHAEL "Lord Carleyll, with my hand at the pen, Al. Hay, "Notarius †." The Lord Carlyle, who ſubſcribed to Mary's bond in May 1568, was *James*. The Lord Carlyle, who ſigned the rebel bond the *year before*, was *Michael*. And yet "Michael, *fourth* "Lord Carlyle," the *ſecond* ſon of Sir *William* ſecond Lord Carlyle, is noticed expreſsly in a charter from King James, as "*frater* et *hæres* Jacobi do"mini Carlyle ‡." James died, probably, ſoon after his ſubſcription to Mary's bond. Michael then ſucceeded him. And ſome time afterwards, when the exact period of this event was no longer

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[*] P. 121.

[†] Anderſon, ii. 233.

[‡] Peerage, 121.

remembered with preciſion, a forger came, and inſerted Michael's name by miſtake for James's; juſt as the names of Huntly, Argyle, and other royaliſts were inſerted, to lengthen out the number of honourable ſubſcribers, and to give a greater dignity to the aſſociation.

Nor let prejudice entrench itſelf in diſingenuouſneſs, by alledging any ſuppoſed inaccuracy in in Douglas and his MS. concerning the ſubſcriptions above. The MS. is a copy made by the late Mr. Crawford of Drumſay, hiſtoriographer to Queen Anne, from a writing in the Cotton library. This writing is the original to us, becauſe it is the primary paper. But it is only a tranſcript in itſelf, one made for Cecil by ſome Scotchman, I ſuppoſe, and writing the names from the pronunciation. Crawford's copy has been publiſhed by Keith, and I now publiſh Cecil's in my Appendix *. There the laſt among the " lordis" is " Cairliewe" for Carliel. No *perſonal* appellation is prefixed to the titular, any more than for numbers before and behind. The ſubſcriber appears not either as *James* or as *Michael*. Yet he is certainly James. Douglas without heſitation aſſerts him to be James, and from ſome ſure motives probably that he had before him at the moment. Nor is he wrong. Michael, we ſee, from his known inability to write, has his name inſerted in the rebel aſſociation of 1567 by the hand of a publick notary. But the ſubſcriber to Mury's aſſociation a few months afterward, writes his own name like the reſt. He was totally different from Michael, therefore. And as *Michael* appears expreſsly from the record cited by Douglas, to have been the *heir and brother* of *James*; *Michael* could not, either mediately or immediately, have ſubſcribed to the rebel aſſociation in 1567 as Lord Carlyle, becauſe his elder brother *James* was *then* Lord; and the name of Michael comes prominent to the eye, an additional evidence of the interpolating hand of forgery, in the liſt of rebel ſubſcribers.

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* See N° xvii.

I have ſufficiently proved before, the aſtoniſhing promptneſs of theſe rebels, to make out in forgery what they wanted in truth. But the preſent fact ſerves to inforce and enlarge the proof. All concurs to ſhow the "queſtionable ſhape," in which any paper muſt appear that comes from the rebels. And we have a memorable inſtance of this, in another part of Anderſon's General Preface.

In the Cotton library, he ſays, he found two papers, one an accord between Francis and Mary and their ſubjects, the other their commiſſion for making it; and "both theſe papers, being in the "original French as ſigned by Monluc and Ran-"dan, are *atteſted under the hands of Lord James* "*Stewart*—, *and of the Lord Ruthven and ſecretary* "*Maitland*; which paper [containing both] is—"more FULL and SATISFACTORY, than any *tranſla-*"*tion* or *account* we have of it from hiſtorians, "containing MANY CONCESSIONS made by Francis "and Mary to their ſubjects of Scotland, with "relation to their rights and liberties *." This extraordinary paper has been ſince publiſhed in a full tranſlation, by Keith. It carries all the pomp of authenticity in its ſignatures. It is ſigned at the bottom of the commiſſion, which comes immediately after the accord, "FRANCIS" and "MARY." It is counterſigned, "by the King "and Queen, De l'Aubeſpine." It is then ſealed with yellow wax, and ſigned below, to ratify the accord, "MONLUC E. of Valence," and "RAN-"DAN." Then follows a preface to an intended liſt of Scotch ſubſcribers to the accord, *without any liſt at all*. And the whole is finally authenticated as genuine, by this atteſtation: "this is the "trew copy of the originall conferred and cola-"tioned. JAMES STEWART. RUTHVEN. "W. MAITLAND †."

Yet this is all a forgery. Thoſe very conceſſions, upon which Anderſon dwells ſo particularly; upon which he might well dwell ſo; and of which we have no mention, in any other "tranſlation" or "account" of the agreement then made; plainly intimate *this* copy of it to be a forgery, when we couple it with the detected forgeries before. What has no other authority, than the atteſtations of ſuch convicted forgers, as Murray, Maitland, and their aſſociates; certainly comes in a very ſuſpectable character to us. The very touch of ſuch villains carries contagion with it.

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* P. xxxiii—xxxiv.

† Keith, 137—144.

——Horrifico lapſu de montibus adſunt
Harpyiæ,——
——Contactuque omnia fœdant
Immundo; tum vox tetrum dira inter odorem.

And whatever paper has been under the hands of theſe political harpies, muſt be conſidered by every thinking mind; to carry in its very "fullneſs" and "ſatisfactorineſs" of intelligence, in its very ſingularity and amplitude of conceſſions to the rebels, the mark of their defiling claws imprinted ſtrongly upon it.

But, in the preſent caſe, poſitive evidence is remarkably ſuperadded to preſumptive. There is an unfortunate errour in dating the latter of the two inſtruments, that expoſes the forgery of both compleatly. The commiſſion is ſaid to have been ſigned by Francis and Mary, "at Remorentin, the "2d day of June, in the Year of Grace 1560, and "of our reigns the firſt and SIXTEENTH." But this is a groſs errour in chronology. Mary was now, not in the ſixteenth, but in the EIGHTEENTH, year of her reign. Her reign commenced nearly with her birth, in the month of December 1542. All authors agree in this *. In June 1560, therefore, ſhe muſt be paſt her ſixteenth year. She muſt be paſt her ſeventeenth. She muſt be in her eighteenth †. And, as the ſeal of forgery upon the paper thus comes forward with a bold and ſtrong

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* Keith, 22.

† See dates accordingly in Keith's Hiſtory, 112, Appendix, 105, 145, 157, and 172, and Haynes, 378.

relief to the eye; ſo does it ſhow the whole to have been forged, with the ſame ſpirit of haſtineſs and negligence, with which we have ſeen the letters forged before; a firſt effort in the ſame operations of villainy; a promiſe of all that was performed afterwards, in the letters, in the ſonnets, and in the contracts; and a ſuitable prelude to that grand conſummation of iniquity, in which rebellion appeared throwing out its giant-arms of forgery on every ſide, and Murray and his accomplices appeared ready with their giant-falſhoods, to ſtorm the very heavens themſelves *.

SECTION IV.

BUT the infamy of forgery was not confined to Scotland, at this period. It extended equally to England. In 1581 Randolph, the agent of Elizabeth at the Scottiſh court, exerted himſelf with a very extraordinary vigour, to drive the new Earl of Lenox from the adminiſtration of affairs, and to replace Morton in it. He therefore applied to the young king. But failing in his aims there, he addreſſed himſelf to the parliament. He charged Lenox with having ſupplanted Morton, and other true ſubjects, in the good opinion of the King. He PRODUCED SOME LETTERS, that had been writ-

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* As this point is of much conſequence in itſelf, I have paid it the compliment to re-conſider it at full length, and in a diſtinct diſſertation; Appendix, N° xiv. And ſee alſo more forgeries of the Scotch Reformers, expoſed in N° xv.

ten by Lenox, he ſaid, to encourage foreign nations in a deſcent upon England. And he conjured them, by their regard for the Reformed Religion, to reſent this conduct, to draw their ſwords (if neceſſary) againſt their ſovereign himſelf, and to expect the aſſiſtance of Elizabeth in the pious work. Here, as againſt Mary before, was a formal production of forgeries, to juſtify accuſations and to ſanction rebellion. Only here, the letters ſtepped forward boldly, and appeared upon the open theatre of the world. They ſued to be ſeen and examined, by Lenox and by all the parliament. And, for that very reaſon probably, it was inſtantly diſcovered that they were forged *. They were forged moſt probably by Morton himſelf, as Kirkaldy's was, I ſuppoſe, by Lethington. Thoſe were forged to reſcue Morton, as this was to reſcue Lethington, from a trial for THE MURDER OF THE KING. And yet Dr. Robertſon, with a diſingenuouſneſs that nothing can excuſe, omits all mention of theſe forged letters †.

On the detection of them, Randolph was juſtly reproached with the profligacy of his conduct. Nothing but the peculiarity of his ſituation, as an embaſſadour, could have ſcreened him from the vengeance due to it. Even Elizabeth was very naturally conſidered, as an aſſociate in the foul act

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* Camden, Tranſ. 262, Orig. i. 316, "plerique ſuſpicabantur;" Spotſwood, 312, "the wiſer ſort eſteeming the letters "he produced counterfeit, as afterwards alſo was known;" and Crawford, 369, "the very letters he produced were found, "upon the firſt enquiry, to be mere forgeries."

† ii. 78.

of forgery with him*. He acted, no doubt, by her directions. The peculiar boldneſs of his proceedings ſhows it. But indeed Elizabeth did not attempt, to vindicate herſelf from the imputation. She never diſowned, either the violence or the fraudulence, of her embaſſadour. She did not even recall him. She actually juſtified him in form upon his return, as a man of integrity, and as a friend to Scotland †. And ſhe thus made all his forgery her own.

She had long been habituated, to the ſight of forgery. She had ſeen it diſplayed in its livelieſt colours, at the conferences before her commiſſioners. She had made herſelf a party in that grand deed of knavery, by aſſiſting in the deception, and by uniting to proſecute the purpoſe of it. But ſhe afterwards went further in forgery. She roſe from the humility of an accomplice, to the dignity of a chief, in the work. The vile arts, which ſhe had ſeen practiſed by the Scots againſt their Queen, ſhe practiſed with more confidence, and with leſs ſucceſs, againſt the Scots themſelves. And ſhe exerciſed them equally, againſt Mary afterwards: letters forged in the name of Mary, being ſent to the houſes of papiſts; letters forged in the names of papiſts, being pretendedly intercepted on their way to Mary; and even forged letters from Mary concerning Babington's conſpiracy, being pretended to be found in the wall of her priſon ‡.

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* Stuart, ii. 136. † ii. 138. ‡ Stuart, ii. 196, 208, 251, and 267. Walſingham appears to have been the great

Elizabeth had probably been taught this higheſt act of flagitious policy, by that *trio* of the moſt un-

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great agent of Elizabeth in this buſineſs. In an intercepted letter of Mary's for Babington, ſays Camden, " was cunningly " added" by Walſingham, " after the opening, a poſtſcript *in " the ſame characters,* deſiring him to ſet down the names of " the ſix gentlemen, *and its likely, other things too*" (Orig. i. 408, Tranſ. 341). And Mary accordingly intimates her ſuſpicion, as to ſome counterfeit letters produced againſt her, that " this was done by *Walſingham,* to bring her to her end" (Orig. i. 424, Tranſ. 355). But that forgery appears to have been dreadfully common in England at this period, is plain from a ſingle fact. " I ſaid before, that the Earl of Eſſex in " 1601 complained of his *letters* being *counterfeited.* Hereof " a diligent enquiry was made, and a notable impoſture diſ- " covered. The counteſs his wife, miſdoubting ſome miſchief " to her huſband and herſelf in this troubleſome time, put " certain *love-letters,* which ſhe had received from him, into " a *cabinet,* and intruſted them in the keeping of a Dutch " woman named Rihove. This Dutch woman hid them at " her houſe. By chance John Daniel, her huſband, lighted " upon them, read them, and, obſerving that there was ſome- " thing in them which might endanger the Earl and incenſe " the Queen, cauſed them to be *tranſcribed by one that was " expert in imitating hands very like the original.* And when " the fearfull Counteſs was ready to lie in, he told her that " he would preſently deliver them into the hands of the Earl's " enemies, unleſs ſhe would forthwith give him 3,000 pound. " She, to avoid the danger, gave him preſently 1,170 pound " down. And yet, for that great ſumme, ſhe received *not* the " *original* letters, *but* the *copies,* from the impoſteur; who " purpoſed to wipe the Earl's adverſaries alſo of a great ſumme " of money, for the *originals.* For this impoſture he was con- " demned to perpetual impriſonment, fined at 3,000 pound, " whereof the Counteſs was to have 2,000, and to ſtand with " his ears nailed to the pillory, with this inſcription, *A wick- " ed forger and impoſteur*" (Camden, Tranſ. 630—631, Orig. ii. 249, 250).

principled politicians, which human impiety perhaps ever generated all together; Murray, Morton, and Lethington. By them, probably, ſhe had been initiated into thoſe helliſh myſteries of iniquity. And Lethington, no doubt, was the original initiator of them all.

He had been *long* in the habit, of counterfeiting Mary's writing. He even *acknowledged* that he had, in ſome private converſation with the Engliſh commiſſioners at York *. It was HE therefore, that forged the warrrant from Mary for the execution of Lord Huntly. It was HE, that forged the other warrant, for the ſubſcription of the nobles to Bothwell's bond. HE forged the letter of June the 15th. And HE forged the letter, or the ſtory of a letter, written from the Queen to the captain of Dunbar caſtle, and intercepted by the rebels. HE forged the two letters from Linlithgow and Kirk-a-field, which were ſuppreſſed by the rebels. HE forged the eight, that were actually publiſhed. HE alſo, we may be very ſure, forged the order from Murray to *his own* keeper, for the delivery of *his own* perſon to Kirkaldy. And HE too, we cannot but conclude from this, forged the letters from Sutherland, that were pretended to be found in the pocket of the ſlain Huntly.

There were indeed others at the time, that trod in his ſteps, and took his downward road to fame. "Thair ar," ſays Mary herſelf on September 29, 1568, "*divers* in Scotland, baith men and *women*,

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* Camden's Ann. Tranſ. 116, Orig. i. 143—144, and Crawford 105—106, 114.

" that *can* counterfeit my hand-writing; and write " the like maner of writing quhilk I uſe, *as weill* " *as myſelf* *." The *woman* here alluded to, was Mary Bethune a made of honour to the Queen †. The *man* is indicated by a letter of Sir Francis Knollys's to Elizabeth, dated January the 28th, 1568–9; in which he mentions Mary to have ſaid, " ſhe ſuſpected that a *Frenchman*, now in *Scotland*, " might be the author of ſome *Scotch* letters de- " viſed in her name ‡." Such a continual victim to the villainy of forgers, does this unhappy Queen appear to have been, from the moment ſhe ſet her foot upon Britiſh ground ‖! But theſe were only petty forgers. And their productions were only the play-things of a wicked hour. They never could, riſe to the dignity of ſuch deeds of enormity, as we ſee above. Theſe required a ſpirit like Lethington for the work, a man whoſe rank entitled him to hold the office of ſecretary of ſtate; a man whoſe abilities qualified him to make a conſpicuous figure in it; and whoſe ſoul was as daring in invention, as his hand was dexterous in execution. And that maſter-ſtroke of forgery, the fabrication of a ſet of letters, which ſhould convict a QUEEN of *adultery* and *murder*; is peculiarly too high and bold an operation, for any but a Lethington.

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[*] Goodall, ii. 343.

[†] Jebb, i. 524, and ii. 243.

[‡] Robertſon, ii. 394.

[‖] We have another fact of this nature, but not in Britain, hinted at in this paſſage by Mary herſelf, in 1586: " that it was an eaſie matter, to counterfeit the cyphers and characters of others; as *a young man* did *very lately* in *France*, who gave himſelf out to be *her ſon's baſe brother*" (Camden, Orig. i. 434, Tranſ. 355).

Accordingly Mary, and her embaſſadour the Biſhop of Roſs, point directly at Lethington ſeveral times, as the great and grand forger of her writing. There are ſeveral, ſays Mary, that can counterfeit my hand, "and *principallie ſic as ar in cumpanie with* "*thameſelfis* *."—"Thair are ſindrie," ſays her embaſſadour to Elizabeth, "quha can counterfeit hir "hand-writ, quha have *bene brocht up in hir cumpa-* "*nie*," Mary Bethune, &c.; "of quhom thair are "*ſum aſſiſtand thamſelfis*, as weill of *uther natiounis*," the Frenchman before, who here appears to have held ſome office in her court, "as *of Scottis*," Lethington; "as I doubt not bot *zour majeſtie*, and "divers utheris of zour Hienes's court, has ſene "ſindrie letteris ſent here from Scotland, quhilk "wald not be kend [from thoſe] by her awin hand "writ †." Letters addreſſed to Elizabeth herſelf as from Mary, could be forged only by her forging ſecretary. Neither Bethune nor the Frenchman would have preſumed, to take ſo high a flight in forgery as that. Nor could either of them have had any purpoſe to ſerve by it, if they would. The quality of the work, betrays ſufficiently the hand of her intriguing ſecretary. And Leſley fixes it clearly upon him, in theſe words of his Defence of Mary: "as though that many in Scotlande could not— "counterfeit in their writinges, the Queene's very "character; and as though there were not AMONG "YOURSELVES," Murray, Morton, &c. "SOME "SINGULAR ARTIFICER in this handy-craft, and

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* Goodall, ii. 343. † Ibid. 388.

"that

"that hath ſent LETTERS ALSO IN HER VERY NAME, "aſwel into ENGLANDE, as to OTHER PLACES BY-"SYDES, without either her commaundement or "knowledge *." Such a wide and ample range in forgery, did Lethington give himſelf. He forged the Queen's hand-writing, to papers at home. He forged it, for letters to the court of England. He forged it, for letters to the courts on the continent. And he therefore appears the boldeſt and the mightieſt forger, I believe, that the world has ever beheld.

But it is peculiarly obſervable at preſent, that HE wrote the very letters to Elizabeth, which Elizabeth made uſe of for collating the celebrated eight. Elizabeth had received ſeveral letters, as from Mary; which appeared afterwards, and from her reply to Elizabeth's anſwers probably, to have been mere forgeries. HE was the perſon who forged the letters. HE was alſo the man, who forged the eight. HE therefore was the ſuggeſter to Elizabeth, of taking the forgeries which had been formerly ſent to her, and of collating the eight with them. And HE thus put her upon comparing *his own* forgeries addreſſed to *her*, with *his own* forgeries addreſſed to *Bothwell*; and ſo *repeating* again the aſtoniſhing juggle of the commiſſioners before, who collated the letters produced by Murray, with letters exhibited by Murray; all, all of them, equally the manufacture of Lethington himſelf.

In ſuch a red glare of iniquity, does this wretched man ſtand before us at preſent; the firſt of human forgers! Yet he had none of that wild and turbulent ſelfiſhneſs about him, which formed a Murray and which made a Morton. He had none of that reſolute malignity in his ſpirit, which is kindled by oppoſition, is inflamed by ſucceſs, and turns the human brother into a brother of the deep. He wanted however that rectitude of principle, which fixes a man perpetually in the preſence of God; which tells him, the broad eye of Heaven is continually open upon him; which exhibits to his mind the Preſent Witneſs, the Future Judge, and the Eternal Avenger; and, therefore, keeps him habitually and uniformly honeſt. He had alſo an activity of genius, that loved to be buſy in intrigues; a facility of diſpoſition, that rendered him ſervile to the influence of thoſe profligates, with whom he was accidentally cotemporary; and a vanity of ſoul, that kept him pleaſed with the importance of his own talents to them, and with the happineſs of his own exertions in their favour. All united to make him a mere tool; finely tempered indeed, elegant, ſharp, and bright; yet ſtill a mere tool, in the hands of Murray and Morton. For them, he let his pen expatiate ſo freely in forgeries. They were in one continued train of conſpiracies and rebellions againſt Mary, from the beginning to the end of her royal reſidence in Scotland. They attached Lethington to them, by taking advantage of his want of principle; by impelling his facility of diſpoſition into an union of counſels with them; and by ſoliciting his vanity, into an execution of their worſt meaſures for them. He became their ſpeaker, their writer, and their forger. He went on adviſing and acting with them, publickly producing his own forged letters at York for Mary's; publickly declaring his readineſs, to ſwear them to be Mary's writing; and yet telling the Engliſh commiſſioners privately at the time, that *he himſelf* had *often* forged her writing. He went on, caballing with the Duke of Norfolk againſt Murray and Morton, and endeavouring to prevent their production of the letters *: yet uniting with them, to produce the letters at York and at Weſtminſter; uniting with them to exhibit ſome other forgeries of his own, for the collation of thoſe with them; and even at laſt ſuggeſting to Elizabeth, a ſimilar collation of them with ſome older forgeries of his own. He alſo went on, all the while caballing with Mary, betraying and blaſting the very meaſures which he was purſuing againſt her, and being therefore ſeized and impriſoned by Murray. He eſcaped by forgery, and declared openly for Mary. He was taken by Morton. And he was poiſoned haſtily by him: leſt he ſhould openly and judicially tell, what he had plainly hinted at York; what he had more than hinted to Kirkaldy, and others, in Scotland; and what is now apparent to all; his own fabrication of the famous letters †.

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* Anderſon, i. Defence; 20.

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* Melvill, 94, &c. and Camden, Tranſ. 112—113, and Orig. i. 139—140.

† Mary, in a letter to Elizabeth November the 28th 1582, ſays thus to her: " My rebels perceiving, that their headlong " courſe

Such an aſtoniſhing character was Lethington, at once the honour and the diſgrace of Scotland; with a ſpirit honeſt, mild, and friendly, a forger; a forger of the firſt magnitude in villainy; and a forger, with every accumulation of a fiend's malignity on his head! Such a long liſt of dreadful facts does the hiſtory of his life afford us, as a comment upon his own ingenuous confeſſion at York! He had *then* indeed "MANY TIMES counterfeited the Queen's "hand." He had run a long career of forgery, in the ſervice of Morton and Murray; *before* he compleated all, in the fabrication of the celebrated letters for them. And it was only by ſlow degrees, that he became for them the father of a train of political forgeries, that have no parallel for their audacity and their ſucceſs, in all the records of the ſhame of man.

Such, ſuch were the perſons, that preſumed to call themſelves Reformers, to tax the wickedneſs of Popery, and to be zealous for the purity of religion! That great ferment indeed, which was ſure to be excited in the body politick of Chriſtendom, by the neceſſary efforts for reformation; naturally threw out to the ſurface, a violent eruption of morbid matter on every ſide. But FORGERY appears to

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" courſe was carrying them much farther than they had thought " before, and *the truth being evidenced concerning the calumnies,* " which had been propagated of me at the conference —; " there were *the principals,* for having come to repentance, " beſieged by your forces in the caſtle of Edinbourg, and *one* " *of the firſt among them poiſoned,*" Lethington, " and the other " moſt cruelly hanged," Grange (Appendix, N° xvii).

have been the peculiar diſeaſe of Proteſtantiſm. Originally coming forth as a kind of leproſy, upon the brow of Preſbyterianiſm in Scotland; it was conveyed by the intercourſes of vice, to the profligate head of the church of England. In both, it concurred with the rebellious turbulence, and the ſacrilegious violence, of the Reformed; to ſtop the nations of Europe, that were ſpringing forward from the idolatries of Popery, into the pure worſhip of Proteſtantiſm; to make them run back, with a too haſty horrour, at the frightful face of Reformation before them; and to prefer even Popery with all its idolatries, to Proteſtantiſm with thoſe enormities accompanying it. And the crimes of ſuch wretches, as Lethington, Morton, Murray, and Elizabeth, ſerved unhappily to check the progreſs, of that greateſt of all illuminations to man, next to the firſt propagation of the Goſpel; kept many of the ſtates about us, from coming forward to the glorious light of it; and actually abridged it, of half its extenſive utility to the world.

CHAPTER THE SECOND.

LOVE-SONNETS (1).

SECTION I.

“ O Dieux, ayez de moy compaſſion,
“ Et m'enſeignez quelle preuve certaine
“ Je puis donner, qui ne luy ſemble vaine,
“ De mon amour et ferme (2) affection.

“ Las n'eſt-il pas ja en poſſeſſion
“ Du corps (3), du cœur, qui ne refuſe peine,
“ Ny deſhonneur en la vie incertaine,
“ Offence de parens, ne pire affliction?

“ Pour luy tous mes amis j'eſtime moins que rien,
“ Et de mes ennemis je veux eſperer bien.

“ J'ay hazardé pour luy et nom et conſcience;
“ Je veux pour luy au monde renoncer;
“ Je veux mourir pour le faire avancer:
“ Que reſte plus (4) pour prouver ma conſtance?”

" O Goddis, have of me compaſſion,
" And ſchaw quhat certane pruſe
" I may give, quhilk ſall not ſeme to him vane,
" Of my luſe and fervent (2) affection.

" Helas! is he not alreddy in poſſeſſioun
" Of my body (3), of hart, that refuſis na pane,
" Nor diſhonour in the lyſe uncertane,
" Offence of freindis, nor worſe affictioun?

" For him I eſteme all my freindis leſs than nathing,
" And I will have gude hope of myne enemies.

" I have put in haſard for him baith fame and conſcience;
" I will for his ſaik renounce the warld,
" I will die to ſet him fordwart;
" Quhat remanis (4) to gif pruſe of my conſtancie?"

SECTION II.

" Entre ſes mains, et en ſon plein pouvoir,
" Je mets mon fils (5), mon honneur, et ma vie,
" Mon païs, mes ſubjets; mon ame aſſubjettie
" Eſt toute a luy, et n'ay autre vouloir

" Pour mon objet, que ſans le decevoir
" Suivre je veux, malgré toute l'envie
" Qu'iſſir en peut. Car je n'ay autre envie,
" Que de ma ſoy luy faire appercevoir:

"Que pour tempeſte, ou bonaſſe, qu'il face,
"Jamais ne veut changer demeure ou place.

"Bref, je feray de ma ſoy telle preuve,
"Qu'il cognoiſtra, ſans faute, ma conſtance;
"Non par mes pleurs, ou feinte obeïſſance,
"Comme autres ſont, mais par diverſe eſpreuve
"(6)."

"In his handis, and in his full power,
"I put my ſone (5), my honour, and my lyfe,
"My countrie, my ſubjectis, my ſaule, all ſubdewit
"To him, and hes nane uther will

"For my ſcope, quhilk without diſſait
"I will follow, in ſpite of all invy
"That may enſew; for I have na uther deſyre
"Bot to mak him perſaif my faithfulnes.

"For ſtorme of [or] fair wedder that may cum,
"Never will it change dwelling or place.

"Schortly, I ſall give of my treuth ſic pruſe,
"That he ſall knaw my conſtancie without fictioun,
"Not be my weiping, or fenzeit obedience,
"As uther have done, bot be uther experience (6)."

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(1) When theſe ſonnets pretend to be written, has not yet been determined. The rebels themſelves, who ſhould be the beſt judges, ſeem to have

deſigned them for a time *antecedent* to the letters; having prefixed them to all, when they exhibited both at Weſtminſter. "The tenors of all which "ſeven wrytings," ſay the commiſſioners of England, "hereafter follow in order, the FIRST being "in manner of a ſonnet,

"O Dieux, ayez de moy, &c [*]."

Accordingly, they are equally prefixed to the letters in the firſt Scotch publication of them, and with this common title to both, "the wrytingis and "letteris found in ye ſaid caſket, quhilk ar avowit "to be written with ye Quene of Scottis awin "hand." They have alſo this ſpecial title to themſelves: "certane Frenche ſonettis writtin be "ye Quene of Scottis to Bothwel befoir hir mariage with him, and (as it is ſaid) quhile hir huſband levit, bot certanely befoir his divorce from "his wyſe, as the wordis thameſelfis ſchaw, befoir "quhome ſcho heir preferris hirſelf, in deſerving to "be belovit of Bothwell [†]." But Lord Hailes and Dr. Stuart think, that they appear from their internal evidence, to be calculated for the period between the ſeizure of Mary and her marriage [‡]. And I ſhall endeavour to aſcertain the intended chronology of them, and then to make it convict them clearly of forgery.

But who was the author of the forgery? I have pretty clearly proved before, that Lethington drew up the letters. Yet Lethington was not capable of drawing up the ſonnets. *Thoſe* were written originally in Scotch, and *theſe* in French. And even if Lethington was qualified for writing in French, of which I find not the leaſt appearance; he was certainly, from all that appears, not qualified to write *poetry* in French. This indeed required talents, of a very different nature from Lethington's. Nor do I know of one man among the uſurpers, who was qualified for poetical compoſition, and was alſo capable of undertaking it in the French language; except only the redoubtable BUCHANAN. This therefore reduces the whole enquiry to a ſhort point. And Buchanan muſt ſtand the reputed father of this poetical bantling, that has been laid ſo long at the door of Mary. Nor is this all the evidence, which can be brought in favour of the filiation. Buchanan's own manner of ſpeaking concerning the ſonnets, ſerves remarkably to corroborate our concluſion. In his hiſtory, he mentions the ſonnets and the letters together. He notices the letters firſt. But he praiſes them not. He ſays only, that they were written by Mary. They are "literæ, "Reginæ manu Gallico ſermone conſcriptæ, ad "Bothuelium." He did not chuſe to compliment Lethington, againſt whom he wrote a printed libel ſo early as 1570. Then he immediately notices the ſonnets. But he paſſes not over *them* in ſo curſory a manner. *He ſtops to praiſe them.* He marks the *elegancy* of them. They are "carmen— "Gallicum, ab eâdem NON IN-ELEGANTER factum *." The natural partialities of ſelf-love, ſolicited this tranſient eulogium from him. He, who would not compliment the letters as Lethington's, could not but compliment the ſonnets as his own. He who praiſes not Mary for any thing, he who is eager to abuſe her upon every occaſion, and who is actually abuſing her at the very moment, for his own and for Lethington's forgeries; even he ſuſpends his daſhing pen at once, and praiſes her for the elegance of ſome verſes,—which he had written for her. And the father betrays his relation to the bantling, by the viſible yearning of his affections towards it.

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[*] Appendix, N° viii.

[†] Anderſon, ii. 115.

[‡] Stuart, i. 395.

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* Hiſt. xix. 374.

(2) "Ferme," French; "fervent," Scotch. In Buchanan *, "*m'*enſeignez" is ſtrangely "*ni* enſeignez."

(3) This ſhows the ſexual intercourſe to have begun, before theſe ſonnets pretend to be written.

(4) "Plus," French, or (as in Buchanan's edition) "il plus †" though ſo important to the ſenſe, is omitted in the Scotch tranſlation.

(5) This implies the King to be dead, and ſo dates the ſonnets below the 10th of February 1567. —"Plain" in Goodall is a miſ-print for "plein," as in Buchanan ‡; though "plein" was then written "plain" at times ‖.

(6) "Sont," French; "have done," Scotch. In Buchanan's Scotch edition, the French is more properly in itſelf, and more agreeably to the Scotch, "ont fait." So "faute" juſt before is "fainte" in Buchanan, and is anſwered by "fictioun" in Scotch.

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* Anderſon, ii. 115. † ii. 115. ‡ ii. 115.

‖ Murdin, 559.

And the words "comme autres ſont," or "ont fait," ſhow Lady Bothwell to be ſuppoſed practiſing her arts, either then or before, in order to draw Bothwell back to her from Mary.—"Diverſe eſpreuve," French; "uther experience," Scotch, for *other proof*.

SECTION III.

"Elle, pour ſon honneur, vous doit obeïſſance:
"Moy vous obeïſſant, j'en puis recevoir blaſme,
"N'eſtant, a mon regret, comme elle, voſtre femme
"(1);
"Et ſi n'aura pourtant en ce point préminence.

"Pour ſon proufit elle uſe de conſtance,
"Car ce n'eſt peu d'honneur d'eſtre de vos biens
"dame (2):
"Et moy, pour vous aimer, j'en puis recevoir
"blaſme,
"Et ne luy veux ceder en toute l'obſervance (3).

"Elle de voſtre mal n'a l'apprehenſion;
"Moy je n'ay nul repos, tant je crain l'appa-
"rence (4).
"Par l'advis des parens elle euſt votre accointance;
"Moy, malgré tous les miens (5), vous porte af-
"fection.

"[Et neantmoins, mon cœur, vous doutez de
"ma conſtance (6),]
"Et de ſa loyauté prenez ferme aſſeurance."

"Scho for hir honour awis zow obedience:
"I in obeying zow may reſſaif diſhonour,
"Not being (to my diſpleſure) zour wyſe, as
"ſcho (1);
"And zit in this point ſcho ſall have na prehemi-
"nence.

"Scho uſis conſtancie for hir awin profite,
"For it is na lytill honour to be maiſtres of zour
"gudis (2):
"And I for luifing zow may reſſaif blame,
"And will not be overcum be hir in loyall ob-
"ſervance (3).

"Scho hes na apprehenſioun of zour evill;
"I feir ſa all appeiring evill (4), that I can have
"na reſt.
"Scho had zour acquentance be conſent of hir
"freindis;
"I, aganis all thair (5) will, have borne zow af-
"fectioun.

"And not the les, my hart, ze dout of my con-
"ſtance (6),
"And of hir faithfulnes ze have firme aſſurance."

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(1) This ſhows Mary not to be yet married to Bothwell, and even Lady Bothwell not to be yet divorced from him.

(2) This ſhows the vulgarity of ſoul, affected by the forger of the ſonnets. The ſame appears in

the letters. In both, the dignified Queen is totally loſt in the "Maid Marian" of her pretended imitators. Burleſque itſelf could not go beyond the preſent abſurdity, of making a Queen to ſpeak of the no little honour accruing, from being miſtreſs of Bothwell's goods. It is realizing the dreams of republicaniſm at once. It is creating

A court of coblers, and a mob of kings.

(3) The third line in this ſtanza concurs with the three in the preceding one, to ſhow the divorce not yet made, and the marriage not yet ſolemnized.—"Toute," French; "loyall," Scotch.

(4) How looſe is the Scotch, compared with the French! But both ſhow the ſonnets to be pretendedly written, at ſome "appearance" of evil to Bothwell particularly.

(5) "Tous les miens," French; "thair," Scotch.

(6) I have added this line, which is loſt in the original. The terms of the Scotch point out the words of the French.

SECTION IV.

"Par vous, mon cœur, et par voſtre alliance,
"Elle a remis ſa maiſon en honneur (1);
"Elle a joüy par vous de la grandeur,
"Dont tous les ſiens n'avoient nulle aſſeurance.

" De vous, mon bien, elle a eu la conſtance (2),
" Et a gaigné pour un temps (3) voſtre cœur;
" Par vous elle a eu plaiſir en bon heur (4),
" Et pour vous a honneur et reverence (5);

" Et n'a perdu, ſinon la joüiſſance
" D'un faſcheux ſot, qu'elle avoit cherement (6).
" Je ne la plain d'aimer donc ardement (7)
" Celuy, qui n'a en ſens, ny en vaillance,

" Ny en beauté, en bonté (8), ny conſtance,
" Point de ſecond. Je vy en ceſte foy."

" Be zow, my hart, and be zour alliance,
" Scho hes reſtoirit hir hous unto honour (1);
" Be zow ſcho is becum to that greitnes,
" Of quhilk hir freindis had never aſſurance.

" Of zow, my welth, ſcho gat the acquentance
" (2),
" And hes conqueiſt the ſame tyme (3) zour heart;
" Be zow ſcho hes pleſure and gude lucke (4),
" And be zow hes reſſavit honour and reverence
" (5);

" And hes not loſt, bot the rejoyſance
" Of ane unpleſand fule, quhilk ſcho luifit deirly
" (6).
" Then I moane hir not to luſe ardently (7)
" Him, that has nane in wit, in manheid,

"In bewtie, in bountie, in treuth (8), nor in
"conſtancie,
"Ony ſecond: I leif in the beleif."

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(1) This alludes to the reſtoration of Huntly, by the reverſal of his attainder, on April 19th, 1567; and ſo dates the ſonnets below that period.

(2) "Conſtance," French; "acquentance," Scotch. This is very ſtrange. But it is only occaſioned by a miſ-print, of "la conſtance" for "l'accointance." The ſenſe ſhows this to be the caſe.

(3) "Pour un temps," French, *for a time*; "the "ſame tyme," Scotch. So in viii. ſhe is made to ſay, that her own love ſhall *at laſt*, "en fin," appear to Bothwell.

(4) "Elle a eu plaiſir en bon heur," French, *has had* pleaſure *in* a fortunate hour; "hes pleſure "*and* gude lucke, Scotch.

(5) "Et pour vous a honneur et reverence," French, *for* you *has* honour and reverence; "*be* "zow *hes reſſavit* honour and reverence," Scotch. The tranſlation has exchanged the two verbs in the two lines, by transferring the one to the other. But Mr. Goodall's edition has omitted a word, which is in Buchanan's, and which is alſo again in the Scotch, "et pour vous a *receu* honneur et reve-"rence."

(6) Who was this "unpleſant," or, as he ought to be called, this *vexatious*, fool, that Lady Bothwell

well loved ſo dearly, before ſhe married Bothwell? "Avoit cherement" is plainly a miſ-print for "aimoit "cherement." It is accordingly "aymoit" in Buchanan. And "rejoyſance" is a ſtrange word for enjoyment, though near to it, and ſtill nearer to "jouïſſance."

(7) The meaning is, that ſhe does not complain *therefore*, of Lady Bothwell loving ardently a man, who &c. But the Scotch runs in this dark and unmeaning ſtrain; "then I moane hir not to "luſe ardently," &c.

(8) Here we have "en bonté," French, which ſignifies *in good-nature*, rendered "in bountie, in "treuth," Scotch.

SECTION V.

"Quant (1) vous l'aimiez, elle uſoit de froideur,
"Si (2) vous ſouffriez pour s'amour paſſion,
"Qui vient d'aimer de trop d'affection (3):
"Son doight (4) monſtroit la triſteſſe du cœur.

"N'aiant plaiſir en voſtre grand ardeur (5),
"En ſes habits (6) monſtroit ſans fiction,
"Qu' elle n'avoit paour, qu' imperfection
"Peuſt l'effacer hors de ce loyal cœur.

"De voſtre mort je ne vis la peaur,
"Que meritoit tel mary et ſeigneur.

"Somme, de vous elle a eu tout ſon bien (7);
"Et n'a priſé, n'y jamais eſtimé,
"Une ſi grand heur, ſinon puis qu'il n'eſt ſien (8);
"Et maintenant dit l'avoir tant aimé."

"Quhen (1) ze luifit hir, ſcho uſit cauldnes,
"Gif (2) ze ſufferit for hir luſe paſſioun,
"That cummis to greit affectioun of luſe (3):
"Hir ſadnes (4) ſchew the triſteſſe of hir hart.

"Taking na pleſure of zour vehement burn-
"ing (5),
"In hir cloithing (6) ſcho ſchew unſenzeitly,
"That ſcho had na feir, that imperfectioun
"Culd deface hir out of that trew hart.

"I did not ſé in hir the feir of zour deith,
"That was worthy of ſic huſband and lord.

"Schortly, ſcho hes of zow all hir welth (7);
"And hes never weyit nor eſtemit
"One ſa greit hap, bot ſen it was not hirs (8);
"And now ſcho ſayis that ſcho luifis him ſa weill."

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(1) "Quant," French, then ſo written for "Quand." See Paris's 2d confeſſion *.

(2) "Si," French, ſignifying *yet*, rendered, according to its Latin meaning, "gif," Scotch.

* Goodall, ii. 80, 83, &c.

(3) "Qui vient d'aimer," French, words that mean paſſion which comes *from* great affection, are rendered "that cummis *to* greit affectioun," Scotch.

(4) "Doight," or (as in Buchanan) "doig," French, is a miſ-print for "doute," I ſuppoſe. The Scotch tranſlates it "ſadnes," and ſo makes "hir "ſadnes ſchew the triſteſſe of hir hart."

(5) "Grand ardeur," French; "vehement burn-"ing," Scotch.

(6) This is a very extraordinary proof, of the ignorance and inattentiveneſs of the Scotch tranſlator. The ſonnet-writer ſays, that Lady Jane Gordon, taking no pleaſure in the great ardour of Bothwell for her, did by her *habits*, or modes of behaviour, ſhow ſhe was not afraid of loſing him. "Habit" then meant, no doubt, what it ſtill means in Engliſh, and what the French now expreſs by *habitude*. Yet the Scotch tranſlator renders it "cloithing," and makes her "cloithing" ſhow how little ſhe was afraid of loſing him.

(7) "Elle a eu," French, has had; "hes," Scotch.

(8) This, and what follows, ſhows an interval of time to have come in, betwixt the pretended commencement of Mary's love for Bothwell, and the pretended date of the ſonnets; and Lady Bothwell to have pretendedly written him ſome fine letters in the interval, in order to draw him off from Mary.

SECTION

SECTION VI.

" Et maintenant elle commence a voir,
" Qu'elle eſtoit bien de mauvais jugement,
" De n'eſtimer l'amour d'un tel amant (1);
" Et voudroit bien mon amy decevoir

" Par les eſcrits tous fardez de ſcavoir (2),
" Qui pourtant n'eſt en ſon eſprit croiſſant,
" Ains emprunté de quelque auteur luiſant (3),
" A faint tres-bien un envoy ſans l'avoir (4).

" Et toutesfois ſes paroles fardéez,
" Ses pleurs, ſes plaincts, remplis de fictions,
" Et ſes hautz cris, et lamentations,
" On tant gaigné, que par vous ſont gardéez

" Ses lettres eſcrites; auſquels vous donnez foy,
" Et ſi l'aimez, et croiez plus que moy (5)."

" And now ſcho beginnis to ſé,
" That ſcho was of verray evill judgement,
" Not to eſteme the lufe of ſic ane luifer (1);
" And wald fane diſſaif my lufe

" Be wrytingis and paintit leirning (2),
" Quhilk not the les did not breid in hir brane,
" Bot borrowit from ſum feat author (3),
" To fenzé ane ſturt, and have nane (4).

"And for all that hir paintit wordis,
"Hir teiris, hir plainćts, full of diſſimulatioun,
"And hir hie cryis and lamentatiounis,
"Hes won that point, that ze keip in ſtore

"Her letters and wrytingis; to quhilk ze gif
"traiſt,
"Zea, and luifis and belevis hir mair then me (5)."

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(1) "De *n*'eſtimer," French; "to eſteme," Scotch. I have reſtored the loſt negative. It is in Buchanan *.

(2) "Par les eſcrits tous fardez de ſcavoir," French, by letters all painted over with learning; "by wrytingis and paintit leirning," Scotch.

(3) "Luiſant," French; "ſeat," Scotch.

(4) Lady Bothwell is ſaid to borrow her letters from books, and ſo, by an excellent ſeint, ſend a diſpatch without writing one. This is obviouſly the meaning. But the French, equally in Goodall and in Buchanan, is miſ-printed, I apprehend. And it ſhould run thus, I ſuppoſe, "envoy" being then uſed as now in Engliſh; "a *faindre* tres-bien un "envoy ſans l'avoir." And the Scotch is ſtrangely disfigured, "to ſenzé ane ſturt, and have nane." "Sturt," ſays Anderſon †, ſignifies a diſturbance or trouble. Yet what a parody of meaning does the whole make? Lady Bothwell, by tranſcribing

* ii. 118. † i. 171.

her letters from books, feigns a diſturbance or trouble, and has none. This indeed is ſuch a wild and excentrick unmeaningneſs of words, ſo wildly devious from the French, and ſo excentrically ſtupid in itſelf; that this ſingle paſſage ſhould have convinced the friends of Mary effectually, of the Scotch being a tranſlation in the ſonnets, though it is the original in the letters. And I cannot but obſerve in deference to truth; that the friends of Mary in this point, have ſhewn nearly as much of *the obſtinacy of folly*, concerning the ſonnets; as the enemies of Mary have done, concerning the letters. The Scotchman plainly read "a faint" as I have corrected it, "a faindre;" and therefore rendered it "to fenzé." He then read "envie," I ſuppoſe, for "envoy." And he ſtrangely tranſlates it "ſturt."

(5) All this ſhows the ſonnets not to pretend to be written, during the confinement of Mary in Dunbar and Edinborough caſtles. She *could* not miſtruſt Bothwell, even if ſhe had had any regard for him, while he was taking ſuch violent meaſures to gain her.—"Lettres eſcrites," French; "letters "*and* wrytingis," Scotch; when the only writings were letters.

SECTION VII.

" Vous la croyez, las ! trop je l'appercoy,
" Et vous doutez de ma ferme conſtance,
" O mon ſeul bien, et ma ſeule eſperance,
" Et ne vous puis aſſeurer de ma foy.

" Vous m'eſtimez legiere, qui je voy,
" Et ſi n'avez en moy nulle aſſeurance,
" Et ſoupconnez mon cœur ſans apparence (1),
" Vous meſſiant a trop grand tort de moy.

" Vous ignorez l'amour que je vous porte,
" Vous ſoupconnez qu' autre amour me tranſporte (2).

" Vous eſtimez des paroles du vent,
" Vous deſpeignez de cire mon las (3) cœur,
" Vous me penſez femme ſans jugement ;
" Et tout cela augmente mon ardeur."

" Zow beleif hir, helas ! I perſaif it to weill,
" And callis in dout my firme conſtancie,
" O myne only welth, and my only hope,
" And I cannot aſſure zow of my treuth,

" I ſe

"I ſé that ze eſteme me licht,
"And be na way aſſurit of me,
"And dois ſuſpect (my hart) without ony appeir-
"ing caus (1),
"Diſcrediting me wrangouſly.

"Ze do not knaw the luſe I beir to zow,
"Ze ſuſpect that uther luſe tranſportis me (2)."

"Ze think my wordis be bot wind,
"Ze paint my verray (3) hart as it were of waxe,
"Ze imagine me ane woman without judgement;
"And all that increſſis my burning."

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(1) The Scotch has turned "mon cœur" into an addreſs, and ſo left the ſuſpicion without an object.

(2) What other love could even the madneſs of ſlander ſuggeſt Mary to have had?

(3) "Mon las cœur," French, my *weary* heart; "my verray hart," Scotch; probably, as *very* is ſtill pronounced *wery* in the north of England, by the pronunciation of that period for *werray*. So we have "*worry* obſcuyrly" for *very* obſcurely, "*werray* ſtrangely" for *very* ſtrangely, and "*werray* "tymus" for *very* early, in the rebel journal*. We have alſo a letter from Robert Melvill, in 1560, "to my *werray* gud Ladé Cecil †." And, what comes directly to the point, we have "vater"

[*] Anderſon, ii. 271, 272, and 274. † Haynes, 363.

for *water*, in a letter of Knox's to Cecil [*]; "the "comone *veill*" for the common *weal*, in one of Lord Boyd's [†]; and "Nicolas *Vilkeſon*" for Nicholas *Wilkinſon*, in a letter of Biſhop Leſley's to Elizabeth [‡].

SECTION VIII.

"Mon amour croiſt, et plus en plus croiſtra,
"Tant que vivray; et tiendray a grand heur,
"Tant ſeulement d'avoir part en ce cœur (1);
"Vers qui enfin mon amour paroiſtra

"Si tres-clair, que jamais n'en doutera.
"[Pour luy je veux tacher contre malheur] (2),
"Pour luy je veux rechercher la grandeur (3);
"Et feray tant, que de vray congnoiſtra (4),

"Que je n'ay bien, heur, ne contentement,
"Qu'a l'obeyir et ſervir loyaument.

"Pour luy j'attendz toute bonne fortune (5),
"Pour luy je veux garder ſanté et vie,
"Pour luy tout vertu de ſuivre j'ay envie (6),
"Et ſans changer me trouvera tout' une."

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[*] Haynes, 372. [†] Ibid, 506. [‡] Murdin, 39. See alſo 568 for "*vryte*" to *write*, "*veil-villars*" for *well-wiſhers*, "varly" for *warily*, "var" for *were*, and "vay" for *way*. See alſo 569, 571, 573, and 577, and N° xvii. Appendix.

“ My luſe increſſis, and mair and mair will incres,
“ Sa lang as I leif; and I ſall hald for ane greit
“ felicitie,
“ To have only part in that hart (1);
“ To the quhilk at lenth my luſe ſall appeir

“ Sa cleirly, that he ſall never dout.
“ For him I will ſtrive aganis wan-weird (2),
“ For him I will recerſe greitnes (3);
“ And ſall do ſa mekle, that he ſall knaw (4),

“ That I have na welth, hap, nor contentatioun,
“ Bot to obey and ſerve him trewly.

“ For him I attend all gude fortune (5),
“ For him I will conſerve helth and lyſe,
“ For him I deſyre to enſew courage (6),
“ And he ſall ever find me unchangeabill.”

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(1) How ſtrongly does this contradict the letters! In the 3d particularly ſhe ſays, that ſhe is anxious in “ ony thing—yat may preſerve and keip zow un- “ to hir, *to quhome only ze appertene*; gif it be ſa, “ that I may *appropriate* that quhilk is wyn.” Yet here ſhe avows, that ſhe will be content with a *ſhare* in his affections. So oppoſite are the letters and the ſonnets! When Darnly was yet alive, and the marriage with Bothwell was therefore at ſome diſtance, ſhe demanded the *whole* of his regards. But when Bothwell had now ſeized her, in order to marry her; and the hour of marriage was

haſtening as rapidly on the wing, as even the impatience of a youthful fancy could wiſh; even then, ſhe declares herſelf content to *divide* his regards with Lady Bothwell. So retrograde is her love!— In the Scotch, "ſa lang as I leif," is in Buchanan more properly "ſa lang as I *ſall* leif."

(2) I have again inſerted a loſt line in the original.

(3) In the firſt ſonnet, Mary is made to reſign up the world for Bothwell; "Je veux pour luy au "monde renoncer." But here ſhe "recerſes," as the Scotch calls it from the French, or ſhe ſeeks for "greitneſs:" "Pour luy je veux rechercher "la grandeur." So inconſiſtent are even the very ſonnets one with another!

(4) "De vray," French; omitted in the Scotch.

(5) "To attend all gude fortune," is a French, and not a Scotch phraſe; as has been juſtly remarked by Dr. Robertſon *.

(6) "Tout vertu de ſuivre," French; "to "enſew courage," Scotch. How little did the Scotchman know of the French! Even as little almoſt, as the Frenchman knew of the Scotch in the letters. And what is very remarkable, and coincides with a ſlight obſervation before, he interpreted the French "vertu" in the Roman ſenſe of *virtus*.

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* Diſſ. 34.

SECTION

SECTION IX.

“ Pour luy auſſi j’ay jetté mainte larme,
“ Premier qu’il fuſt de ce corps poſſeſſeur,
“ Duquel alors il n’avoit pas de cœur (1);
“ Puis me donna un autre dur alarme,

“ Quand il verſa de ſon ſang mainte dragme (2);
“ Dont de grief me vint laiſſer douleur,
“ Qui m’en penſa oſter la vie (3), et frayeur
“ De perdre las! le ſeul rampart qui m’arme.

“ Pour luy depuis (4) j’ay mepriſé l’honneur,
“ Ce qui nous peult ſeul pourvoir de bonheur.

“ Pour luy j’ay hazardé grandeur et conſcience,
“ Pour luy tous mes parens j’ay quitté et amis (5),
“ Et tous autres reſpectz ſont a part mis;
“ Brief, de vous ſeul je cherche l’alliance (6).”

“ For him alſo I powrit out mony teiris,
“ Firſt quhen he made himſelf poſſeſſor of this body,
“ Of the quhilk then he had not the hart (1);
“ Efter he did give me ane uther hard charge,

“ Quhen he bled of his blude greit quantitie (2);
“ Throw the greit ſorow of the quhilk come to me
“ that dolour,
“ That almaiſt caryit away my lyfe (3), and ye feir
“ To tyne the only ſtrenth that armit me.

"For him ſen (4) I have deſpiſit honour,
"The thing only that brings felicitie.

"For him I have hazarded greitnes and conſcience,
"For him I have forſakin all kin and freindis (5),
"And ſet aſyde all uther reſpectis;
"Schortly, I ſeik the aliance of zow only (6)."

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(1) "Il fuſt" is in Buchanan more properly "il "ſe fiſt," French; and is anſwered by "he made "himſelf," Scotch. But this whole paſſage is of ſingular conſequence. It ſhows, that Mary's pretended regard for Bothwell, is made to commence AFTER the adulterous act with her; and that this adulterous act is allowed to have been a RAPE. She poured out many a tear, ſhe ſays, when he made himſelf poſſeſſour of her body, at a time when he had not obtained her heart. The words are very clear. They are alſo very expreſſive. The rebels themſelves acknowledge here, that Bothwell committed a RAPE upon Mary. This is a very material fact in the hiſtory of her life. By this, and by this alone, can ſhe be vindicated. And this will vindicate her amply. Yet modern hiſtory has paſt over this incident, "ſmooth-ſliding without ſtep *;" or, where ſhe has reſted upon it, ſhe has conſidered it purely as a ſeduction †. *That* is unpardonably faulty. And *this* is culpably indiſtinct. A ſeduction,

* In Dr. Robertſon. † In Dr. Stuart.

and a rape, are very different in themſelves and in their conſequences. The one implies, the other precludes, a concurrence of the will in Mary. The one ſtill leaves her criminal; though in a leſſer degree, than if ſhe had come a votary to voluptuouſneſs in the hour of freedom. But the other abſolves her from all guilt whatever. To the impriſonment of her perſon, it adds violence to her modeſty. It debars all conſent. It's very eſſence lies in force. And all the cenſure for the deed reſts entirely upon the head of Bothwell. In this light do the very rebels here exhibit her. He had taken a brutal poſſeſſion of her body. But her heart was all averſe to him. And ſhe ſhed many a tear at her dreadful ſituation.

This therefore OVERTHROWS ALL THE LETTERS, and THE TWO CONTRACTS, at once. No ſuch intercourſe, as is there intimated, *could* have ſubſiſted at the time, theſe contracts and thoſe letters pretend to be written. This is even acknowledged by the rebels themſelves, in the preſent paſſage. At the King's ſickneſs in Glaſgow, and at the Queen's journey to Stirling, no ſexual intercourſe had taken place between Bothwell and her at all. It firſt took place in an act of raviſhment, during the confinement of her perſon by Bothwell, in the end of April and beginning of May afterwards. And the Queen wept and lamented over the degradation, into which ſhe was reduced by the high enormity of her ſeizure, by the much higher of the rape upon her, and by the total helpleſsneſs of her ſituation under both. Indeed he muſt have a heart, ſteeled by party or by inſenſibility to all the beſt feelings of our nature; who does not ſigh over a woman and a Queen, beautiful, elegant, and refined, ſo impriſoned, ſo un-friended, and ſo treated *.

Nor was it the ſmalleſt part of her miſery, that the main point of it was of ſuch a peculiar nature, as ſhe could not well reveal. She was even obliged to marry the raviſher, becauſe he had been a raviſher. She had *then* a *double* reaſon, for not revealing it. It concerned the fortune, and even the life, of her huſband; to throw a ſhade over it. Yet, in addition to all, ſhe was openly accuſed of a long intercourſe of antecedent *adultery*, with the *raviſher*; of *murdering* Darnly, in order to ſecure the *after-raviſher* to herſelf; and, ſtill more contradictorily, of having concerted a plan with him for her own ſeizure, for her own *raviſhment*, and for her own marriage: as if ſhe could not have married him, without either the ſeizure or the rape preceding. And, under this ſenſeleſs accuſation, has the memory of that peculiarly unfortunate woman been now labouring, for two hundred years; even though *the very papers*, alledged in *proof* of her *guilt*, did here *acquit* her *compleatly* of all.

I wiſh only to add one remark, concerning the Queen's crying. She is ſaid to have ſhed "many "a tear."

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* Accordingly Buchanan, in his bold way of *creating* a world of hiſtory out of old materials, mentions this fact, but at another and much earlier period; and ſays, that Bothwell "*forcit* "hir aganis hir will forſuith," p. 8, Anderſon, ii, "eam *in-* "*vitam vi* compreſſit," Jebb, i. 239.

"a tear." This is quite in character. She had that hyſterical propenſity to crying, in the hour of anguiſh; which the delicacy of the female organization often gives to women, and which is generally their beſt relief from their feelings. "At St. John-"ſton's," ſays Randolph in a letter of September the 24th, 1561, "ſhe was well received," in her firſt progreſs through the kingdom; "and preſented "with a heart of gold full of gold, I know not to "what value: ſhe liked nothing the [Proteſtant] "pageants there; they did too plainly condemn the "errors of the [Popiſh] world: as ſhe rode in the "ſtreet, ſhe fell ſick, and was born from her horſe "into her lodgings, not being far off; *with ſuch "ſudden paſſions, as I hear ſhe is often troubled with, "after any great unkindneſs or grief of mind* *." Accordingly we ſee her in Le Croc's letter from Stirling, December 23, 1566, "laid on the bed; "*weeping ſore*" for her huſband's ſtrange behaviour, at the baptiſm of their ſon †. And here we ſee again another touch, of this hitherto unnoticed part of her character.

But, to lend a fullneſs and a roundneſs to this ſtroke of the pencil, I muſt add; that the anguiſh of mind, which relieved her by diſcharging itſelf at her eyes, had a previous tendency to throw her into fits of fainting. So, in Randolph's letter preceding, "as ſhe rode in the ſtreet, *ſhe fell ſick*, and "was *born from her horſe into her lodgings*." She was alſo affected in the ſame manner, when ſhe went over to the rebels at Carbarrie Hill, and when thoſe fiends *firſt* peeped out from behind the viſors of the ſaints. Seeing the infamous ſtandard, which appears to have been the grand enſign of rebellious war to them *, with a peculiar affrontiveneſs carried always before her; ſhe, as Buchanan tells us, "animo linguente, ægré ne ex equo caderet, ſuſtentata fuit †." Yet ſhe was even affected in this manner, at an earlier period of her life, and when her health appears to have been very tender and delicate, by oppreſſions merely bodily and ſtomachick. So in France, ſays Throgmorton on June 21ſt, 1559, "the Quene Dolphin being the "ſayde daye at chirche," that of Noſtre Dame in Paris, "was very yvil at eaſe; and, *to kepe her* "*from ſounding* [ſwooning], [they] were ſayne *to* "*bring her wyne from the alter* ‡." On the 25th of Auguſt in the ſame year he adds likewiſe, as from the Spaniſh embaſſadour; that "after diner "he," the embaſſadour, "was in the cumpeny of "the French King and the French Queen; which "Queen, he ſaid, *loked very evil*, and was *ſo weake*, "as, even before all the preſence that was there, "*ſhe fell on ſounding* [ſwooning], and was *in very* "*dangerous caſe*, as *ſhe is always after meale*; when "ſhe was *with aqua compoſita revived*, and retired ‖." But upon the 20th of September following he writes thus. "The French Queen," he ſays,

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* Keith, 190. † Ibid. Pref. vii.

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* See the cenotaph of Darnly mentioned before, i. 4. 2, and the view of the armies at Carbarrie Hill there given.

† Hiſt. xviii. 364. ‡ Forbes, i. 144. ‖ Ibid. i. 210.

" who—, contrary to her wont, hathe found her-" ſelf well, is now, upon occaſion of ſuch newes " as Levaſtin brought from Scotland, fallen ſick " again; in ſuch ſort, as the xxviii. of this preſent " month, being at even-ſong, was *for faintnes* con-" ſtrained to be lad to her chamber, *where ſhe* " *ſowned* [ſwooned] *twice or thriſe* *." And thus, when her health improved into the ſtrength and vigour which it afterwards obtained, then, and becauſe of her previous delicacy of frame, anguiſh of mind did for her, what bodily malady had done before.

(2) This tells us a very curious anecdote, concerning the raviſher. After the rape, finding the Queen highly indignant at the brutality done her, he actually ſtabbed himſelf. It was no pretended wound that he gave. It was a real one. And he ſhed many a " drachm" of blood from it.

(3) This alſo intimates, that Mary was in danger of dying with grief, while ſhe was kept under confinement by her raviſher.

(4) This again ſhews the pretended regard of Mary for Bothwell, to have *confeſſedly* ariſen SINCE the rape, " depuis." It is highly ridiculous indeed in any of our writers to ſuppoſe, as all have ſuppoſed before Dr. Stuart; that Mary could ever have a regard for him. The rape might make the marriage neceſſary to her honour. The ſeizure, the bond, and the inactivity of all her friends under her captivity, might make it neceſſary to her pru-

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* Forbes, i. 244.

dence. But the effrontery of the ſeizure, and the brutality of the rape, muſt have given her a violent diſguſt againſt him.

(5) Since the love that aroſe in her breaſt, after Bothwell's ſelf-inflicted wound; ſhe has for him deſpiſed honour, ſhe has for him hazarded greatneſs and conſcience, and ſhe has for him *quitted* all her relations and friends. This implies an interval of time to have paſſed, betwixt the raviſhing, which was prior to the wound, and the writing of the preſent ſonnets; an interval, in which the wound had been given, ſhe had deſpiſed honour, had hazarded greatneſs and conſcience, and had quitted her relations and friends. But how could ſhe have done any of theſe things, ſince the raviſhing? How could ſhe particularly have *quitted* her relations and friends, ſince it?

"Pour luy tous mes *parens* j'ay quitté et amis," French. "For him I have forſakin all *kin* and "friends," Scotch. Here the Scotch is right. But in Sonnet i. "parens" is rendered by it "freindis." It is ſo likewiſe in Sonnet iii. Nor would it probably have tranſlated the word differently, in this ſonnet; if the union of "amis" with it, had not compelled the ſtrayer into the right road. Even then, the tranſlator never looked back to correct his miſtakes before. Yet the word *parent*, at this day, very ſtrangely means *a relation* in French; though *parens* means *parents*. And in a letter of May 1ſt 1568 Mary aſſures Elizabeth, that the latter has in no part of the world "a more "tender affectionate *relation* than herſelf," "une

“ plus proſche, afectionée *parante*” (Haynes, 464). I have even ſhown in ii. 4. 4, our embaſſadour at Paris in 1559 uſing the word *parentaige* for relationſhip, in a reported addreſs from Mary.

(6) This concurs to ſhow, that ſhe is not yet married to Bothwell.

SECTION X.

“ De vous, je dis, ſeul ſuſtien de ma vie,
“ Tant ſeulement je cherche m'aſſeurer ;
“ Et ſi oſe de moy tant preſumer,
“ De vous gaigner maugré toute l'envie :

“ Car c'eſt le ſeul deſir de voſtre chere amie,
“ De vous ſervir, et loyaument aimer,
“ Et tous malheurs moins que rien eſtimer,
“ Et voſtre volonté de la mienne ſuivre.

“ Vous congnoiſtrez, aveques obeïſance (1),
“ De mon loyal devoir n'obmettant la ſcience,
“ A quoy j'eſtudiray, pour tousjours vous complaire (2),

“ Sans aimer rien que vous, ſoubs la ſubjection
“ De qui je veux, ſans nulle fiction,
“ Vivre et mourir ; et a ce j'obtempere (2).”

" Of zow, I ſay, only uphalder of my lyſe,
" I only ſeik to be aſſurit;
" Zea, and dar preſume ſa mekle of myſelf,
" To wyn zow in ſpite of all invy:

" For that is the only deſyre of zour deir luſe,
" To ſerve and luſe zow trewly,
" And ſa to eſteme all wan hap les than nathing,
" And to follow zour will with myne.

" Ze ſall knaw, with obedience (1),
" Not forzetting the knawledge of my leill dewtie,
" The which I ſall ſtudy, to the fine that I may ever
" pleis zow (2),

" Loving nathing bot zow, in ye ſubjectioun
" Of whom I will, without ony fictioun,
" Leif and die; and this I conſent (2)."

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(1) This line is not very intelligible. But I ſuppoſe it to mean, that Bothwell ſhould know what ſhe had ſaid before to be true, together with her obedience.

(2) How could any of Mary's friends, for one ſcruple of time, ſuppoſe the Scotch of either of theſe lines to be the original?

SECTION

SECTION XI.

"Mon cœur, mon ſang, mon ame, et mon ſoucy,
"Las! vous m'avez promis qu'aurons ce plaiſir
"De deviſer aveques vous a loiſir,
"Toute la nuict, ou je languis icy (1),

"Ayant le cœur d'extreme paour tranſy,
"Pour voir abſent le but de mon deſir (2).
"Crainte d'oublir un coup me vient ſaiſir (3):
"Et l'autre fois je crains que endurci

"Soit contre moy voſtre aimable cœur,
"Par quelque dit d'un meſchant rapporteur (4):

"Une autre fois je crain quelque aventure,
"Qui par chemin deſtourne mon amant,
"Par un faſcheux et nouveau accident (5):
"Dieu, deſtourne tout malheureux augure!"

"My hart, my blude, my ſaule, my cair,
"Helas! zow had promyſit yat I ſuld have yat pleſure,
"To deviſe with zow at leyſure,
"All the nicht, quhair I ly and languiſche heir (1),

"My hart being overſet with extreme feir,
"Séing abſent the butt of my deſyre (2).
"Feir of forzetting ſumtyme takis me (3);
"And uther tymes I feir that luſeſum hart

"Be [not] hardinit aganis me,
"Be ſum ſaying of ane wickit reporter (4):

"Uther tymes I feir ſum aventure,
"That be the way ſuld turne abak my luſe,
"Be ſum troublous and new accident (5):
"O God, turne abak all unhappy augure!"

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(1) This plainly intimates to us, that Bothwell was now abſent from Mary, and that the ſonnets were ſent as a poetical epiſtle of love to him.—"To deviſe," Scotch, is put to anſwer "de deviſer," French, which means to converſe together; juſt as we have noticed "deviſing" and "deviſes" uſed, in the letters of our embaſſadours at Paris *.

(2) In the ſtanza before, we know that Bothwell is abſent, becauſe Mary complains he has broken his promiſe of ſleeping continually with her, and has left her to languiſh in a ſolitary bed. But here we are expreſsly told, that he is abſent.—"Tranſy," French, which ſignifies *benumbed*, is rendered "overſet" by the Scotchman. He ſeems to have gueſſed at the meaning, from the analogy. And we have ſeen

* See ii. 4. 4.

ſeen him before, much better acquainted with the Latin than the French.

(3) This alſo ſhows Bothwell to be abſent.

(4) This alſo ſhows it. But the Scotch has interpolated " not," in direct contradiction to the ſenſe.

(5) This alſo ſhows him to be abſent, and on his expected return to her. And the word " aventure" in the Scotch, concurs with a variety of words before, and with the whole complexion of the Scotch, to demonſtrate it a tranſlation from the French; a tranſlation, that reflects the features of the French ſo ſtrongly, as prevents it from being ranked for Scotch; and yet neceſſarily throws ſuch a Scotch air over the features of France, as precludes us from taking them for French. " Ælia Lælia " Criſpis, nec vir, nec mulier, nec androgyna,— " ſed omnia."

SECTION XII.

" Ne vous voyant ſelon qu'avez promis,
" J'ay mis la main au papier pour eſcrire (1),
" D'un different que j'ay voulu tranſcrire (2).
" Je ne ſcay (3) pas quel ſera voſtre advis;

" Mais je ſcay bien qui mieux aimer ſcaura,
" Vous diriez bien qui plus y gaignera (4)."

"Not ſéing zow as zow had promyſit,
"I put my hand to the paper to wryte (1),
"Of ane difference that I have willit copy (2).
"I cannot tell (3) quhat ſall be zour judgement;

"Bot I knaw weill quha can beſt luſe,
"Ze may tell quha ſall wyn maiſt (4)."

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(1) This ſhews Bothwell to have ſtaid beyond his expected time, and Mary to have therefore ſent the ſonnets as a letter to him.

(2) This means, as far as I can catch a glimpſe of the meaning through the miſt about it, that ſhe wiſhed to addreſs herſelf to him on his delayed return, with complaints concerning his abſence, an abſence ſo contrary to his promiſe. Theſe complaints ſhe calls "un different" or "ane difference" between them. This was the reaſon of her writing. On this therefore ſhe wiſhed to expatiate. And to expatiate upon it, by a harſh and abſurd mode of expreſſion ſhe calls a "tranſcribing" or "copy-"ing" it.

(3) "Je ne ſcay," French; "I cannot tell," Scotch.

(4) The ſonnets pretend a voluntary intercourſe of adultery, to have been carried on by Mary with Bothwell. In this they agree entirely with the letters. But they differ totally from them, in the main circumſtance of this adultery. So continually on the wing is the dæmon of calumnious forgery, ſpying out new combinations of calumnies, and

flitting from one forgery to another! And ſo peculiarly is this worſt ſpirit of wickedneſs, "like the "*troubled* ſea, when *it cannot reſt*, whoſe waters caſt "up *mire* and *dirt!*" The letters ſuppreſſed all idea of the rape, by building themſelves upon the ſurmiſe of an adultery, antecedent to the date of the rape. They *thus* prove themſelves to be ſpurious at once, and add one more to the many proofs of their ſpuriouſneſs, which we have already. The ſonnets therefore deſerted this treacherous ſoil, and came back to the ſolid ground of fact. They founded themſelves upon that rape, which the letters had buried under their own rubbiſh. But then, to adduce any thing like a charge of criminality againſt Mary, they were obliged to borrow the fictitious tale of adultery from the letters, to give it a new origin, to aſſign it a later date, and to ſubjoin it to the genuine ſtory of the rape. And the ſonnets thus form a middle line, betwixt the truths of hiſtory and the falſhoods of fiction; taking a part from both, reflecting the light of truth in the rape, preſenting the ſhades of falſhood in the adultery; and ſhewing their own forgery the more conſpicuous, by the ſtriking oppoſition between them.

SECTION XIII.

SINCE I wrote the notes above, I have procured from Edinborough the "Remarks on the "Hiſtory of Scotland, by Sir David Dalrymple," now Lord Hailes. I find he has anticipated me in ſome ſlight obſervations, which I have made here. I find he has alſo made others, of which I envy him not the poſſeſſion. His heat of prejudice againſt Mary, has warped his judgment much. He becomes diſingenuous, under the influence. And indeed I muſt ſay, from the full conviction of my mind; that there is not a *ſingle* enemy of Mary's, whom I can honeſtly pronounce to act upon fair and dignified principles, towards her.

To one unfair obſervation, I wiſh to ſpeak particularly. It relates to the memorable paſſage in the ninth ſonnet. I muſt repeat the words, for the more perfect ſatisfaction of my reader. They run thus in the French;

"Pour luy auſſi j'ay jetté mainte larme,
"Premier qu'*il fuſt** de CE corps poſſeſſeur,
"Duquel alors il n'avoit pas le cœur," &c.

Theſe words ſpeak too plainly of the rape committed upon Mary, not to be underſtood by every man who chooſes to underſtand them. And the Scottiſh tranſlation, which, *as to the fact alluded to*, is equally authentick with the original itſelf; ſpeaks ſtill more explicitly in theſe terms:

"For him alſo I powrit out mony teiris,
"Firſt quhen he made himſelf poſſeſſor of THIS
"body,
"Of the quhilk then he had not the hart," &c.

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* or *il ſe fiſt.*

The tranſlation, and the original, thus unite to aſcertain the meaning of the lines, beyond a poſſibility of unbiaſſed doubt. Yet Sir David endeavours to divert the paſſage from its purpoſe, and to make it allude—to what?—to *Bothwell's ſleeping with his wife*, upon his marriage to her *. This is obviouſly ſuch a prepoſterous effort of criticiſm, as would create *quodlibet ex quolibet*. It is the mere juggle and legerdemain of controverſy. And, what is more, it is HISTORICALLY FALSE.

It ſuppoſes Mary to have had a violent affection for Bothwell, even *at the very time of his marriage to his wife*. But that this ſuppoſition is fundamentally falſe in fact, is apparent from the teſtimony of one of Mary's bittereſt enemies. It appears from Randolph's own letters to Cecil.

The attachment of Mary to Bothwell, from his fidelity to her mother and her, appears very early in thoſe diſpatches. But the honourable firmneſs of Bothwell, in adherence to his own principles, and in oppoſition to the Queen's; appears as early in them. Even on December the 7th, 1561, Randolph ſays of both; that "at the *dirige* or maſs "upon Friday and Saturday laſt,—ſhe obſerved the "old manner in all her doings;" yet "ſhe could "not perſwade nor get one lord of her own to wear "the *deule* for that day, *nor ſo much as the Earl* "*Bothwell* †." But his ſteady zeal for Proteſtantiſm, could not procure him the good opinion of a Randolph; becauſe he continued loyal to his Sovereign,

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* P. 211—216.

† Keith, 207.

vereign, when he was averſe to her religion. Randolph accordingly ſpeaks of him on the 10th of April, 1563, with all the harſhneſs of a man, who conſidered the profeſſion of Proteſtantiſm, as merely a long cloak to hide the cloven-foot of treaſon. "The Queen," he ſays, "knoweth now that the "Earl Bothwell is ſent for to London," when, on his flying out of Scotland by ſea, he was caſt upon the ſhore of England *:—"I know that ſhe thinketh much, that he is not ſent into Scotland: it "is yet greatly doubted, that if he were here, he "would be reſerved for an evil inſtrument:— "there comes a vulture in this realm, if ever that "man come again into credit †." And yet Bothwell was actually at this very period, and for ſome years after it; even till he renounced his loyalty, embarked in treaſon with thoſe arch-traitors, Murray, Morton, and Lethington, and became as genuine a proteſtant, and as great a knave, as they; a very extraordinary favourite with the main body of the nation. He was then, ſays a cotemporary memoir-writer, "the darling of the common people "for his courage and liberality;" and he was alſo "the envy of the court." Even as late as October 1566, "James Hepburne Earl of Bothwell," ſays the ſame writer, was "a man as yet *generally* eſ"teemed and *applauded*." And, as he alſo adds concerning a prior period of his life, Bothwell "was unanimouſly choſen general to the army,

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* Knox, 322. † Robertſon, ii. 332—333.

“ when very young, merely upon the ſcore of his “ bravery *.”

Bothwell, then, was a favourite equally with the Queen and with the nation, before he confederated with the knaves above, and laid all his loyalty at their feet. He was not more a favourite with the Queen, than with the nation. He was even leſs.

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* Crawford, 42, 2, and 53. “ In the weiris aganis Ingland,” ſays Mary alſo in her inſtructions to her embaſſadour, May 1567, “—he gaif ſic pruif of his vailzeantnes, courage, and “ gude conduct; that notwithſtanding he was yan of verie “ zoung aige, zit wes he choſin out as maiſt fit of the haill “ nobilitie, to be oure lieutenant-generall uponn the bordouris, having the haill charge alſweill to defend as to aſſayle. *At quhilk tyme he maid mony nobill entirpryſes, not “ unknawin to baith the realmis; be the quhilk he acqueirit a “ ſingular reputatioun in bayth*” (Keith, 388). Yet this is the man, whom the overweening confidence of calumniation has repreſented, as a braggart and a coward (Detection, 53—55, Anderſon, ii. and 304—305, Jebb, i.) And thoſe “ mony “ nobill entirpryſes” are now all ſuppreſſed, by the partial hand of hiſtory.

Having obſerved this, let me mark what I take to be three other miſtakes concerning Bothwell. He is ſaid to have diſſipated his fortune by his extravagance, and ſo to be ready for any meaſures of deſperation (Anderſon, ii. 55, Jebb, i. 305); when in Paris's firſt confeſſion he is ſaid at the very time, to be “ the greateſt lands-lord of the country” (Goodall, i. 139). His family alſo is ſaid (Keith, 388), to have been only a younger branch of the Hepburns of Waughton; when the Waughtons are only a younger branch of the ennobled Hepburns (Douglas's Peerage, 83). And he is alſo declared in 1567 to have been thrown into a priſon in Denmark, there to have lived ten years, and there to have died (Stuart, i. 272); when in 1570 he was “ ſtrolling about at liberty, and living “ without dread of puniſhment” (Goodall, i. 360—361).

In 1563 ſhe put him in priſon, on a charge of "conſpiring to kill the Queen, and thoſe in credit "about her *." On the 4th of March 1564-5 Randolph tells us, that "Murray of Tillibarden" is "come from Bothwell out of France; to ſue for "ſome favour, either liberty to return, or means to "live there: *they think him worthy of no favour* †." He was neither to be allowed the means of ſtaying abroad, nor permitted to come home. And on the 15th he adds, that "*the Queen* miſliketh "Bothwell's coming home, and *hath ſummoned him* "*to undergo the law, or be proclaimed a rebel:* he "is charged *to have ſpoken diſhonourably of the* "*Queen*, and to have threatened to kill Murray "and Lidington: David Pringle, one of Bothwell's "ſervants, will verifie it ‡." Bothwell obeyed the ſummons. He returned into Scotland. The 3d of May was the day fixed for his trial. Argyle, the hereditary judge, and Murray, his malignant proſecutor; and both united with the Duke of Chatelleraut, as Cecil himſelf informs us, "in a "common quarrel ageynſt all, excepting God and "ther Soverayn;" came to the court with an army of retainers, amounting to FIVE THOUSAND men, all horſe. Alarmed with this formidable appearance of force, and dreading the violence which it obviouſly threatened, Bothwell did not ſurrender himſelf to trial. And of courſe he was condemned for non-appearance. But the Queen ſaw the policy of Murray, too groſs in this grand meaſure of

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[*] Keith, 269, 248, and 240. † Ibid. 269. ‡ Ibid. 270.

terrour; to ſuffer all the advantages, which he meant to be taken of it. She ordered the juſtice-clerk, not to proſecute the ſentence of outlawry againſt him *. Yet he was obliged to retire into France again, and to remain there for ſome time. Then Murray beginning to unſheath his tiger-claws, and to diſplay his tiger-fangs, in the act of rebellion againſt Mary; ſhe naturally began to recall ſuch as had oppoſed him, and had been driven into baniſhment for the act. Bothwell was one of theſe. On July 4th, 1565, "it is ſaide," Randolph informs us; "that the Earl Bothewell and "Lord Seton are ſente for, which hathe appear-"ance of trothe, and [they] are knowne to be feet "[fit] men to ſerve in thys worlde †." On July 19th he adds with more certainty, that "the letter "to revoke the Earle Bothewell was ſubſcribed, "within theſe three days ‡." He and Sutherland

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* Murdin, 758, and Keith, App. 160. The connection of this fact concerning the armed force of, and the confederacy between, Argyle and Murray, with the two facts preceding, has never been attended to before. The number of armed men here, is alſo given all to Murray, by Dr. Robertſon, i. 326, and Dr. Stuart, i. 92. The latter therefore very reaſonably reduces the number, with Knox, to 800. But Randolph's number is Argyle's, as well as Murray's. "The Earls of Argile and "Murray," he ſays, "came to Edinburgh with 5,000 horſe." And ſo is Knox's too. To Murray, he ſays, "*aſſiſted* ſevin "or eight hundred men;—there *aſſiſted* my Lord of Murray, "the Erles of *Argyle*, Glencarn, and Crawford, *with grit* "*numbers*, and *many Lords and Barones*" (Knox, 372). We muſt therefore abide by Randolph's number; as he wrote at the time, and Knox or his continuator ſome time afterwards.

† Keith, Hiſt. 295. ‡ Ibid, 302.

accordingly returned, in a few weeks afterward [*]. And Bothwell re-appears in council for the firſt time, on the 10th of October following; when the Queen's army was now near to Dumfries, and advancing upon the collected body of the rebels there; and when it was ſettled, that the main battle ſhould "be led be the Kingis Majeſtie's ſelfe, being accumpanyit with the Erlis of Mortoun, *Bothwell*," &c [†]. So little was Bothwell a favourite with the Queen, while the hand of Murray retained thoſe reins of authority over her, which he had half wreſted and half received from her!

Before the recall of Bothwell, Mary had been married to Darnly. She was married on July 29th, 1565, two or three months before. Her affection for Darnly was warm and lively. Nor was it ever *alienated* from him, *till* he engaged in the murder of Rizzio on the 9th of March, 1565-6. "Well," ſhe then cried to this mere *Vandal* and *Hun* in all friendlineſs, on her inſtant agony of anguiſh at the fact; "you have taken your *laſt* of me, and your "*farewell* [‡]." But Bothwell was alſo married, in the month *immediately preceding* [§]. In the November and December before both, as Knox himſelf informs us, "at hir pleiſure, the Erles of Lenox, Athole, and Caſſels, with divers uthers, "without ony diſſimulatioun knawn, went to the "meſs openly in hir chapell; yet, nevertheles, the "Erles of Huntley and *Bothwell went not to the*

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[*] Keith, Hiſt. 310.

[†] Ibid. Appendix, 115, and Hiſt. 316.

[‡] Robertſon, ii. 356.

[§] Tytler, 3d edit. Appendix, 25—26; and Robertſon, ii. 450.

“ *meſs*, albeit they were in grit favour with the “ Quene *.” And in this very month of February we know for certain from Randolph himſelf, and even from Knox; that Bothwell again played the ſame game which he had played before, by again refuſing a compliance with the ceremonies of the Queen’s religion; and that for this conduct, which ſhows an uncommon degree of reverence in him for his own principles of faith, he was ſo far from being an object of *violent* or of *any* love to Mary, as actually to be diſliked, and actually to be frowned upon, by her. “ The Erle of Bothwell,” ſays Knox, “ was married unto the Erle of Huntley “ his ſiſter: the Quene deſired, that the marriage “ micht be maid in the chappell at the meſs; “ quhilk the Erle Bothwell *wald in nowiſe grant* †.” “ The Queen of Scots hath ſaid openly,” as Randolph informs us in a letter of February 5th, 1565-6, “ that ſhe will have maſs free for all men that will “ hear it; *her huſband, his father*, Lord Athole, “ and others, now daily reſort unto it; the Pro“ teſtants are in great fear and doubt, what ſhall “ become of them ‡.”—“ Upon *Candlemas Day*,” adds Randolph more circumſtantially on February 7th, “ there carried their candles with the Queen,” in the Popiſh proceſſion uſual on the day, “ *her* “ *huſband*, the *Earl of Lennox*, and Earl Athol; “ divers other lords have [had] been called to“ gether, and required to be at the maſs that day; “ ſome have [had] promiſed, as Caſſels, Mongo-

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* P. 389.

† Knox, 392.

‡ Goodall, i. 274.

"merie, Seton, Cathneſs; others have [had] re-"fuſed, as Fleming, Levingſton, Lindſay, Hunt-"ley, and BOTHEL: and OF THEM ALL BOTHEL IS "THE STOUTEST, BUT WORST THOUGHT OF*." Bothwell therefore, at this time, was leſs obſequious to Mary, and more out of favour with her, than even Darnly himſelf. He had alſo been leſs complying with her religious prejudices, than many of the peers. He had even been more reſolute in his refuſal to comply, than any of them. He was too little a Papiſt, to concur with the Popiſh lords. He was too much a Proteſtant, not to give a more peremptory denial, than any of the Proteſtant nobility did. He thus perſiſted in all that firmneſs of adherence to principle, which he had evidenced before his baniſhment. He perſiſted in it, notwithſtanding all the additional ſolicitations of *gratitude* for his recall. And he even ſtood forward with a *peculiar* ſtrain of bravery, to oppoſe the Queen in a favourite meaſure. In conſequence of all, he was *peculiarly* an object of Mary's diſlike at the time. Yet this, this is the very time, in which Sir David, *unhappily croſſed by his ſtars*, makes Mary to have had a violent love for Bothwell.

I might indeed have ſpared myſelf the trouble, of proving this againſt him. His whole argument conſiſts merely of a *ſuppoſition*. I might therefore have left it to float in air, by its own levity of nature. Sir David *ſuppoſes* the truth of one calumny, in order to *prevent* the detection of another. And

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[*] Robertſon, ii. 354.

his conduct ſhows us the ready wantonneſs of calumniation, which actuates even the more prudent, and the more honourable, adverſaries of Mary at preſent: which impels them, in ſpite of their honour, to ſtand out againſt the plaineſt proofs: and which induces them, in ſpite of their prudence, to throw up freſh works of ſlander, in order to fortify the old; to retire from argument into ſuppoſition; to add one weak ſuppoſition to another; to continue the warfare by petty efforts, when they can no longer maintain it with vigour; and ſo to proclaim their own diſgrace, and the diſgrace of their cauſe, the more loudly to the world.

I ſay this, in a neceſſary vindication of the character of Mary from the inſinuations of prejudice. But I ſhall not urge Sir David any farther. I ſhould naturally have done ſo, becauſe he is alive to defend himſelf; and have expoſed the equal airineſs, of ſome other points in his work. But, having refuted his main argument, I think myſelf precluded from aſſailing the reſt, by the declaration which he has made; that, whoever attacks his hypotheſis, he will not defend it*. A brave man cannot condeſcend to puſh his ſucceſs againſt a champion, who in the ſame moment gives the challenging blow, and declines the provoked combat. I ſhall therefore diſmiſs him with an anecdote, concerning an antagoniſt ſimilar to himſelf. A French gentleman attacked the late Mr. Swinton of Oxford, upon one of his papers in the Philoſophical Tranſactions. Like Sir David, he put forth all his ſtrength in the attack. Like him too he declared, that, if the other replied, he would not rejoin. Mr. Swinton did reply. And though in the printed copy he was induced by Lord Moreton, then preſident of the Royal Society, to ſuppreſs what the latter too prudiſhly thought a national reflection; yet in the MS. he inſerted this ſtroke of humour, the only one which I remember to have come from Mr. Swinton, That ſuch an attack, and ſuch a declaration, reminded him of his antagoniſt's countrymen at the battle of Dettingen, who gallantly advanced up to our troops, threw in all their fire, and then—RAN AWAY *.

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* P. 219.

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* Since the publication of my work, as I have intimated in my advertiſement to this edition, Lord Hailes has favoured me with a letter concerning the preſent part of it. In this he urges ſome new arguments, againſt the obvious application of the ninth ſonnet; and he virtually gives up the old, by not offering to defend them. And as I wiſh to bar the door for ever to thoſe, who would willingly fly from the conviction forced upon them by this ſonnet; I ſhall preſent my reader, with the ſubſtantial part of my reply to his letter.

" Your lordſhip—intimates, that you meant not to be an " antagoniſt to Mary, in your publiſhed obſervations on the " ninth ſonnet. Yet, on reviewing your obſervations again, " I muſt think that you *appeared* as ſuch. The whole turn of " your remarks is hoſtile to Mary. You do not indeed ſpeak " out, like a Buchanan, or even a Robertſon, againſt her. " You are not an avowed enemy. Yet you are an enemy. " And, at the cloſe, you drop the involuntary diſguiſe en" tirely; by ſpeaking of "" the votaries of Mary,"' as different from and oppoſite to yourſelf. In ſuch circumſtances, " my Lord, can you wonder that one of "" her votaries,"' and " one who has extended "" the Marian controverſy, already too angry and too voluminous,”’ into three volumes more of anger for her ſake; miſtook you for one of her adverſaries.

“ Even in your preſent letter, your Lordſhip is equally acting in the ſame manner againſt her. You are ſtill endeavouring to wreſt out of the hands of her friends, that formidable weapon of defence, which your Lordſhip's *ſagacity firſt diſcoverèd* in the ſonnets, and which your Lordſhip's affection inſtantly attempted to prevent her friends from ſeizing. You ſaw the uſe, that might be made of it. Your ſpirit was alarmed. And your underſtanding inſtantly ſupplied you with a meaſure of diverſion, that it thought would be effectual. Such, at leaſt, appears to me to have been the proceſs in your mind, indiſcernible perhaps to yourſelf, but viſible to the eye of criticiſm. The operations of the mind become viſible, in the acts of the man. And your Lordſhip's letter, I am perſuaded, is only a continuation of the ſame efforts againſt Mary, which your Lordſhip began in your publication.

“ You ſeem, however, to drop the grand point at preſent, of “ CE corps” meaning the body of Lady Bothwell, inſtead of the body of Mary. You turn to other words in the ſonnet. And theſe are to ſerve the purpoſe, I preſume, for which the others were originally engaged.

“ The firſt line,

> “ Pour lui auſſi j'ay jetté mainte larme,

you ſay, ‘“ does not mean, in your opinion, any violent paſſion of love, but merely the manner in which females, who may be both αγαθαι and αρι-δακρυες, intereſt themſelves for any one.”’ But if the line ſignifies *any* paſſion of *love* in Mary for Bothwell, at the time of his marriage to Lady Jane Gordon; then it is, as I have deciſively ſhewn (I think) in my work, directly in the teeth of truth. And that it muſt mean *love*, and not any lower degree of regard; is plain. For a *woman* to *ſhed tears*, and to ſhed *many a tear*, on the *marriage of a man to another woman*; is ſurely an evidence of ſomething more than regard. It comes forward to the judgment at once, a full proof of diſappointed love.

"In the next line, as you *now* think, the firſt words "'premier que"' ſhould be rendered, not *firſt when*, but *before* "*that*. At preſent, undoubtedly, "'premier que"' ſignifies "*before*. This is certainly in favour of your argument. But "then the argument has ten times more in its diſfavour, I "think. There has been a great alteration made in the "French language, ſince the days of Queen Mary. Of this we "have a notable inſtance, in the very letters aſcribed to her. "It occurred to me, only ſince I publiſhed. But it is very "apparent. "'Aucun"' and "'aucunement,"' at preſent, ſignify *none* and *not at all*. Yet in Lett. i. Sect. 5, 7, 8, 13, "26, 29, and 33, "aucun;" and in Lett. vi. Sect. 2. "aucunement;" ſignify the very oppoſite of this, and mean "*ſome* and *ſomewhat*. Juſt ſo it is with "'premier que."' "Now meaning *before*, it formerly meant, as the preſent paſſage ſhews, *firſt when*. This was ſo obvious from the whole "air and complexion of the context, that you yourſelf, and I "after you, took it without heſitation in that ſenſe only. And "the Scotch tranſlator, a cotemporary with the original writer, "took it preciſely in the ſame ſenſe. Nor indeed can the "context admit of any other. Upon this new conſtruction, "the lines would run thus:

"'For him alſo I pourit out mony teiris,
"'*Before* he made himſelf poſſeſſor of this body,
"'Of the quhilk he had not then the hart."'

"Here we have the tears noticed as before, but *the object of* "*them is all withdrawn from the view*. The *cauſe* of the tears, "which was particularly dwelt upon before, is not even "glanced at now. And the *fact*, that provoked the tears, and "that was explained in the fulleſt manner before, is now "buried in the grave of refinement. We had plain common-ſenſe before, we have not a ray of it now. We are left to "grope in the dark, for the *occaſion* of all. The ſtated fact is "turned into a mere chronology of it. And we have an ample diſplay of the chronology, belonging to the fact; while "the fact itſelf, to which the chronology belongs, is totally "ſuppreſſed. Surely all this, my Lord, is ſuch a turning and "twiſting of the whole, ſuch a deviation from propriety into "wildneſs, and ſuch an aſcenſion from the ſolid ground of

" criticiſm into the airy regions of ſyſtem; as muſt ſtrike " powerfully upon your Lordſhip's mind. Your Lordſhip, I " am ſure, will be above the wretched ſubterfuge, of making " the ſonnets to ſpeak nonſenſe; rather than let them ſpeak " a ſenſe, diſagreeable to your prejudices. .

" I have ſaid thus much, my Lord, in honour of your Lordſhip's obſervation. But I need not ſay more. The whole " paſſage applies too powerfully to every mind, I think, to be " long reſiſted. And that your Lordſhip could reſiſt it before, " would be more ſurprizing to me, if I did not know too much " by experience, of the uncertainty of the human mind, &c.

" But, as to my application of this line,

"' Quand il verſa de ſon ſang mainte dragme,'"

" to ſome wound inflicted by Bothwell upon himſelf ſoon after " the rape; you very properly obſerve, that "' ſome evidence "' ought to be given'" of ſuch a wound. Some certainly ſhould. " Some actually is given. And it lies in this very paſſage. " When the grand fact is aſcertained, *that* gives the tone and " tendency to all the others. When the capital figure in the " piece is appropriated, *that* throws a clear light upon all the " reſt. And the rape being the grand and leading point of " the whole, every leſſer circumſtance muſt neceſſarily be referred to *that*." .

CHAPTER THE THIRD.

HAVING noticed all the circumſtances in theſe ſonnets, which can ſerve to aſcertain the chronology; I now proceed to ſhow the inſufficiency of them for that purpoſe. They are ſo incompatible with one another, and with hiſtory; that no date can be founded upon them. And they therefore prove the ſpuriouſneſs of the ſonnets, in the moſt ſatisfactory manner.

The ſonnets are plainly one letter, written and ſent at one period of time. This appears from ſome of them running into the others, from the general connection that ſpreads through many or moſt of them, and from the laſt of them forming obviouſly a concluſion to all. And the rebels accordingly inſtructed the commiſſioners at Weſtminſter, to conſider them all as ONE ſonnet *.

They were then, and at their firſt publication, *prefixed* to the Glaſgow letters; as if they were antecedent to them in time. Accordingly Buchanan takes care to inform us, that they were "writtin be "ye Quene of Scottis to Bothwel,—as it is ſaid,

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* Appendix, N° viii.

"quhile hir huſband levit." Yet, that the date of them is poſteriour, is evident from the whole tenour of them. And accordingly Buchanan ſays alſo, in a more ſober ſtrain; that they were written "befoir "hir mariage with him, and—befoir his divorce "from his wyſe."

But at what period before the marriage, muſt we fix them? In that between the ſeizure and the marriage, ſay Lord Hailes and Dr. Stuart. Many circumſtances indeed concur to aſſign this, for the interval in which they pretend to be written. But ſome forbid it. The grand act of raviſhment, which we know to have not taken place till the ſeizure, ſeems to fix the ſonnets deciſively to this interval. Yet the ABSENCE of Bothwell, which is made the very cauſe of writing them, neceſſarily carries us to a later period.

SECTION I.

IN all the time of Mary's captivity within the walls of the two caſtles, Bothwell never left her. It would have been infinitely abſurd indeed, for him to have done ſo. He had committed a deed, which nothing but the bond of the nobility; the ſecret ſolicitations of Morton, Lethington, and the other traitors; the folly of his own head; and the corruptneſs of his own heart; could have put him upon executing. And nothing but the humiliation of Mary, by the violation of her modeſty; and by the conſequent compulſion of her into matrimony, for the reparation of her wrongs, and for the ſatisfaction of her delicacy; could now ſave it, from turning to his utter ruin.

The *day after* he had procured the bond of aſſociation for his marriage with her, he waited upon her, made a diſtant intimation of his hopes, but ſuppreſſed all mention of the bond. Mary inſtantly gave him ſuch an anſwer, as daſhed all his proud expectations at once. He became deſperate. He had originally fancied, that he had nothing to do, but to court and to marry the Queen. In this he found himſelf dreadfully miſtaken, as his pretended friends and actual impellers, moſt probably, foreſaw he would be. He therefore reſolved to have recourſe to an act, which the wild turbulence of the Scotch at the time, rendered too familiar to the minds of their barons; and which was pretty ſure to be the next ſtep, in the operations of a man, ſo daring, ſo ſilly, and ſo ſtimulated. The bond "being anis obtenit," ſays Mary herſelf concerning this hitherto unnoticed part of her hiſtory, "he began afar off to diſcover his intentioun to us; and "to aſſay, if he mycht be humill ſute purches oure "gude will: but finding oure anſwere nathing correſpondent to his deſire,—he reſolved with himſelf to follow furth his gude fortoun; and, *all reſpectis laid apart*, ayther *to tyne all in ane hour*, or "*to bring to pas yat thing he had takin in hand* [*]."

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[*] Anderſon, i. 94—95.

He accordingly reſolved upon ſeizing her. He even determined upon *raviſhing* her. "He conveyed her," ſay Crawford's Memoirs in MS. "by "force, as appeared, to the caſtle of Dunbar; *to the* "*end* he might enjoy her, as his lawful ſpouſe *." He even *declared* as much, in the firſt moments after the ſeizure. Let us hear Melvill's intimations, concerning the ſeizure and the rape. They are little known. And even *Scotch* writers appear to have been ſo far impoſed upon, by the equivocal meaning of the word *raviſhment* in Scotch; as to confound the rape and the ſeizure together, and to ſink the former entirely in the latter. "Shortly "after," ſays this hiſtorian; who in general gives a negligent, confuſed, and ſelf-conceited account of things, but who merits all credit upon the preſent occaſion, as he was actually with the Queen at the time; "her Majeſty went to Stirling, and "in her back-coming—the Earl of Bothwel rancountered her with a great company, and *took her* "*Majeſtie's horſe by the bridle*; his *men* took the "Earl of Huntly, the ſecretary Lidington, and me, "and carried *us* captives to Dumbar; *all the reſt* "*were permitted to go free*," with a view plainly to the rape. "*There* the Earl of Bothwell boaſted he "WOULD marry the Queen, *who would or who would* "*not*; yea, WHETHER SHE WOULD HERSELF OR "NO." This muſt have been the very day of the ſeizure, as "the next day," adds Melvill, "I obtained permiſſion to go home †." Huntly and the ſecretary, no doubt, were permitted to go home immediately afterwards. The rebels by a proclamation on the 12th of June ſay, that the Queen was left "deſtitute of all COUNSALE and SERVANDIS [*]." The Queen alſo ſays herſelf, that ſhe was "in his "puiſſance, ſequeſtrate from ye company of all "her SERVANDIS and OTHERIS, QUHOME-OF SHE "MICHT ASK COUNSALE [†]." And, as Melvill ſoon remarks with a judicious explicitneſs, that is peculiarly wanted in this period of the hiſtory, and has ſince been frittered away by a ſpirit of deluſive refinement; "*then* the Queen *could not but marry* "*him*, SEEING HE HAD RAVISHED HER, AND LAIN "WITH HER AGAINST HER WILL [‡]."

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* Keith, 383.

† P. 79—80.

Bothwell's union with Morton, Lethington, and the other traitors, in the horrid murder of Darnly; ſhows him to have been capable of any atrocious villainy. His taking the principal execution of that villainy upon himſelf, proves him to have been a mere inſtrument of miſchief in their hands. He therefore ſaw not the ſure conſequences, of either the murder or the ſeizure. He thought, no doubt, that they, who had ſupported him in the one, would equally ſupport him in the other. And he boaſted at the very outſet, we ſee, that he *would* marry her, *who would or who would not*; and even, *whether ſhe would herſelf or no*, even though ſhe ſhould ſtill perſiſt in her refuſal of him. But, when he came to the *immediate* execution of his purpoſes, he very naturally began in a different manner. He had coolly reſolved upon a rape. Yet even *his* brutal ſoul recoiled at the act. The intended raviſher was again turned, into the humble ſuitor. "In quhat part we tuke yat maner of "dealing," ſays Mary herſelf concerning the ſeizure, "bot ſpeciallie how ſtrange we fand it of "*him*, of quhome we doubtit les yan of ony ſubject "we had; is eaſie to be imagined. Being yair," at Dunbar, ſhe adds, "we *reprochit* him ye honour "he had to be ſa eſtemit of us, ye favour we had "alwayis ſchawin him, his ingratitude, *with all* "*uther remonſtrances quhilk mycht ſerve to red us* "*out of his handis*." And "albeit," ſhe ſays, "we "fand his doing rude," in the ſeizure, "zitt were "his anſwere and wordis bot gentill." He begged pardon for his boldneſs. He pleaded neceſſity for it. "He was drevin be force, als weil as con-"ſtrainit be luſe; ye vehemency quhairof had maid "him to ſett apart ye reverence, quhilk naturallie, "as oure ſubject, he bure to us; as alſwa for ſaif-"tie of his awin lyff." He had met with ſo many enemies, and was ſtill ſo ſenſible of the malice ſecretly working againſt him, "yat he could not find "himſelf in ſurtie, without he were aſſurit of oure "favour to indure without alteration; and uther "aſſurance yairoff could he not lippin in [depend "upon], without it wald pleis us to do him that "honour, to take him to huſband." And he "pro-"teſted alwayis, yat he wald ſeek na uther ſoverain-"ty bot as of befoir, to ſerve and obey us all the "dayis of oure lyff; joyning yairunto all ye honeſt "language, yat could be uſit in ſic a caiſs."

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[*] Anderſon, i. 131.

[†] Ibid. i. 97.

[‡] P. 80.

But ſtill finding himſelf unlikely to ſucceed, he at laſt produced the bond, and ſhowed it to her. She was thoroughly aſtoniſhed at the ſight. "Quhen "he ſaw us *lyke* to *reject all his ſute and offeris*, in "the *end* he ſchowed, how far he was procedit with "oure haill nobilitie and principallis of our eſtaittis, "and quhat thai had promeiſt him under yair handwrittis: GIF WE HAD CAUS YAN TO BE ASTONEIST, we remit us to ye jugement of ye King, "ye Quene, our uncle, and uthers our friendis *.

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* This refutes the ſlanderous quotation in Keith, 383, upon the teſtimony of which Dr. Robertſon very naturally loves to reſt (Diſſ. 19, and Hiſt. i. 418), and by the account of which "all the way ſhe neither made obſtacle, impediment, clamour, "or reſiſtance." Some falſhoods, indeed, refute themſelves by their own abſurdity. This is one. If Mary had been *really* carried away by colluſion, ſhe *would certainly have reſiſted and clamoured*, in order to maintain the *appearance* of a ſeizure. She would moſt probably have clamoured *very loudly*, and have reſiſted *very ſtrenuouſly*, in the natural overdoings of hypocriſy.—So alſo, when one of Bothwell's captains took Melvill priſoner, and alledged the whole ſeizure to be with the Queen's own concurrence, an allegation upon which the Doctor wiſhes equally to reſt (Diſſ. and Hiſt. ibid.); had it *actually* been with the Queen's concurrence, the captain *would never have been entruſted with the ſecret*. But when a Queen was to be ſeized by her ſubjects, and by *loyal* ſubjects, ſuch as this captain was; a falſhood of that nature was ſure to be ſuggeſted, in order to induce them to ſeize her. And this very captain, being afterwards put to tortures and to death, as one of the murderers of Darnly, did not bring the ſlighteſt accuſation againſt the Queen for either the murder or the ſeizure, and did even acquit her of all blame in both (Keith, 406, and 407; Crawford, 41; and Leſley's Defence, 77).—Accordingly we find, that the Queen ſhowed ſtrongly by her words, how much

She found her lords “ beſoirhand alreddie zeald-“ ed to hys apetyte, and ſwa herſelf left allane, as “ it wer a pray to him.” In this diſtreſs of mind, “ mony thingis,” ſays ſhe, “ we revolved with our “ ſelf, *bot nevir could find ane outgait*: and zit gaif “ he us lytill ſpace to meditate with oure ſelf, evir “ preſſing us with continewal and importune ſute.” She ſtill, however, refuſed to give him any encouragement. She was in hourly hope, that ſome of

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much ſhe reſented Bothwell’s ſeizure of her. She expreſſed her aſtoniſhment peculiarly, at ſuch an act of rebellious preſumption in *him*, whom ſhe had hitherto found ſo eminently loyal. And when ſhe came to repeat the ſtory a few days afterwards, ſhe was ſo full of her indignation ſtill, that ſhe could not dwell particularly upon it, but was obliged to *leave the whole* to the *imagination* of her friends in France. But indeed both theſe aſſertions of calumny are contradicted directly, by an authority even ſuperiour to Mary’s in this point, even by the very rebels themſelves. Bothwell, they ſay on the 16th of June, “ ambeſett hir Majeſties way, tuik and raviſhit hir maiſt no-“ bill perſon, and led the ſamyne with him to Dumbar caſtell, “ thair detayning hir priſonere and captive” (Anderſon, i. 136). Bothwell, they add on the 21ſt of July, “ treſonabilie “ reveſit hir Majeſties maiſt nobill perſoun, and led hir cap-“ tive to Dunbar” (Anderſon, i. 142). And, as they ſubjoin in their grand act of attainder againſt *Bothwell*, on the 20th of December following, he and his accomplices were attainted “ pro eorum *proditoriâ interceptione* nobiliſſimæ perſonæ matris “ noſtræ Mariæ, Scotorum Reginæ, in viâ ſuâ;—ac *proditoriâ* “ *et violentâ incarceratione* nobiliſſimæ perſonæ dict. chariſſimæ “ matris noſtræ in caſtro de Dunbar; et *detentione* ejuſdem in “ dicto caſtro ad ſpatium duodecim dierum; ſic *nefandum* “ *crimen raptûs* in nobiliſſimam perſonam ipſius *committendo*” (ſee Black Acts). But why do I ſtop to refute ſuch frivolous

of her faithful ſubjects would come to her reſcue. But ſhe was ſadly diſappointed. The ſoul of loyalty ſeemed to be all bound up, as by a ſpell. Her enemies attributed the ſeizure to a colluſion. Her friends ſtood all at gaze, not knowing how to conſider it, and waiting in ſuſpence for information[*]. And, “in ye end,” ſays Mary, “*quhen* we *ſaw na eſpyrance to be red of him,* NEVIR MAN IN SCOTLAND ANIS MAKAND ANE MYNT TO PROCURE OURE DELIVERANCE; for yat it mycht

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imputations as theſe, upon Mary? My reaſon is; that the imputations, however frivolous, have been long received by the ready malevolence of the world, as true; and that their reception has been particularly enforced, by the authority here relating them. And I wiſh to obſerve at the cloſe, that the great fact of the rape afterwards, comes in with a deciſive addition to all; and joins to ſweep thoſe ſlanderous impertinences, in a tempeſt of evidence before it.

Let me alſo add, that the grand reaſon aſſigned for Bothwell's ſeizure of the Queen, by the rebels at York (Goodall, ii. 141—142), by Buchanan (Hiſt. xviii. 356), and by Robertſon (i. 418), *in order* to obtain a formal pardon for it afterwards from the great ſeal, and, under it, for the murder of the King, as a leſſer offence included in a greater; is as falſe in fact, as it is wild in appearance. *Bothwell never did obtain, never did apply for, ſuch a pardon*; whatever Mr. Hume may venture to affirm (v. 114—115), in idly referring us to their very reaſon aſſigned, as a proof of the fact itſelf. Neither Dr. Robertſon, nor Buchanan, nor the rebels at York, pretend to aſſert he did. Had he applied for it, he muſt certainly have obtained it. Had he obtained it, the rebels would have certainly urged and re-urged the pardon, as a proof poſitive againſt the Queen. And thus the grand reaſon aſſigned for the act by the folly of Mary's traducers, appears eventually to have been no reaſon at all.

[*] Crawford's Memoirs, 20.

“ appeir be yair *handwrittis*” in the bond, “ and “ *ſilence* at yat tyme, *yat he had won yame all*; we “ wer COMPELLIT to *mitigat* oure diſpleaſure, and “ *begin* to *think* upon yat he proponded.”

She began to ſoften a little, in appearance or in reality. Then “ he partlie extorted, and partlie obteinit, her *promeis* to tak him to her huſ- “ band.” But he ſtill thought the promiſe to be wholly extorted, and the ſoftening to be only appearance. In all probability they were ſo. She had practiſed the ſame arts with ſucceſs, upon the murderers of Rizzio. And he was ſtill on the very verge of ruin. “ *Fearing evir ſum alteratioun*, he “ wold not be ſatisfeit with all the juſt reſſonis “ we could allege, to have ye conſumation of ye “ mariage delayit, as had bene maiſt reſſonabill; “ quhill we mycht communicat ye ſame to ye “ King, ye Quene, oure uncle, and utheris oure “ friendis.” He grew deſperate. He recurred to his original reſolution, that horrible ſuggeſtion of deſpair, a rape. He ſhould thus put it out of her power to deceive him. Such is frequently the baſe policy towards women, that lies lurking at the heart of men! He had even the contrivance and the audacity, to execute it. “ As be a bravade in “ the begynning he had wyn ye firſt point,” the ſeizure; “ ſa ceaſed he nevir, till be perſwaſiouns “ and importune ſute, accompaneit not ye leſs “ with FORCE, he hes *finalie* DREVIN us to end ye “ work begun, at ſic tyme,—” by a marriage ſo early, “ as he thocht mycht beſt ſerve his turn.”

And in all this period he could not have left, and did not leave, her for a ſingle moment *.

We have even a rebel authority, that he did not leave her while ſhe remained in Dunbar. The rebel journal expreſsly tells us ſo. "April 24th," it ſays,—"Bothwell met hir upon the way, ſeamit "to raviſh hir, and tuik Huntly and the Secretarie "priſoneris, and led them all to Dumbar, and "THAIR REMAINIT TO THE THIRD OF MAY." He then brought her to Edinborough caſtle. But he ſtill left her not. "May 3d," adds the journal, "ſhe wes conweyit be Bothwell and all his freindis, "with ſperris, to Edinbrough caſtell; and for fear "of accuſation [they] kaſt thair ſperris from thame "be the way; and the nixt Sunday hir bannis wer "proclamit be hir awin precept, ſubſcryvit with "hir hand." Yet Bothwell durſt not ſtill truſt her by herſelf. He therefore kept her in Edinborough caſtle, till the 12th. This day, ſays the journal, "ſhe cam *with Bothwell* out of the caſtell "to the tolbuyth befoir the lordis of ſeſſion, and "tuik hir proteſtatioun and act thair of hir liber-"tie; and ſo paſt *togidder* to the abbay †." He thus permitted her at laſt to reach the palace of Holyrood-houſe, to which ſhe was going in peace upon the 24th of April, little ſuſpecting the ſtorm of evils, that was juſt ready to burſt upon her head, and that ceaſed only with the laſt moments of her life.

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* From the Queen's own account, Anderſon, i. 95—99: in which the delicacy of the lady, and the prudence of the wife, are in a continual ſtruggle with facts; willing to lay open the whole for her own vindication, yet unable to do it for her own ſake and her huſband's, and yet doing it in effect.

† Appendix, N° x.

But, even there, how did he treat her? Did he then leave her, and ſhow leſs jealouſy of her? The rebels ſhall again tell us. But we muſt firſt read their very curious and very remarkable account, of his conduct to her before. It opens a new and aſtoniſhing ſcene of profligacy, in him.

"How ſhamefully the Queen our ſovereign," they ſay to Throgmorton on July the 20th afterward, "was *led captive*, and by FEAR, FORCE, and "(as by many conjectures may be well ſuſpected) "*other* EXTRAORDINARY and *more* UNLAWFUL "means, COMPELLED to become bedfellow to an- "other wife's huſband:—is manifeſt to the world." This carries an intimation of ſomething ſuperlatively villainous and horrible, in the very ſound of it. The "extraordinary means" made uſe of, in *addition* to *fear* and *force*; and the means, that *could* be "*more* unlawful" than they; muſt be ſome practices of the moſt diabolical nature. Dr. Stuart, an author who muſt ever be mentioned with the higheſt reſpect by the friends of Mary, and the firſt who called out this ſtriking paſſage into notice; ſuppoſes *amatorious potions* to be meant by it *. But it means, I doubt not, ſomething very different. It alludes to thoſe practices, which Lovelace actually uſes upon Clariſſa, STUPIFYING

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* Hiſt. i. 376.

DRAUGHTS. The former are inconſiſtent with the *fear* and *force*, to which they are brought in as aſſiſtants, and even contradictory to the *compulſion*, of which they are ſaid to have been actual inſtruments. But the latter coincide directly with them, and with the whole hiſtory. This paſſage, therefore, not only confirms the incident of the rape, but alſo apprizes us of a circumſtance in it, that is charged with peculiar guilt. The STUPIFYING DRAUGHTS, miniſtered by the contrivances of Bothwell to the impriſoned Mary, compleat the picture of his daring flagitiouſneſs and her heroical honour. And let it ever be remembered, that thoſe very rebels, who pretended to have intercepted the letters, ſonnets, and contracts, on the *twentieth of June* 1567; and who on them have grounded a charge of adultery and murder againſt her, of adultery with Bothwell, and of murder for the ſake of Bothwell; even they, on the *twentieth of July* afterwards, did formally and authoritatively announce her, to have been a "compelled bed-fellow" to Bothwell; to have been "led captive" by him firſt, and *then* to have been "compelled" by "fear," by "force," and as from many circumſtances they ſay they conjectured, and as, no doubt, they knew from Bothwell himſelf, though they could not avow the communication, "by other extraordinary and more "unlawful means."

"He had," as the rebels go on, "in three "months found ſuch hap in an unhappy enter"prize; that, by the murder of the babe's father, he "had purchaſed a pretended *marriage* of the mo-

“ ther, ſeized her perſon in his hands, *environed* “ *with a continual guard of 200 barquebuziers, as* “ *well day as night, wherever ſhe went*; that if any “ man had to do with the Prince, it behoved him, “ *before he could come to her preſence*, to go *through* “ *the ranks of barquebuziers*, under the mercy of a “ notorious tyrant, as it were to paſs the pykes *.”

Under this ſtrict kind of confinement, both before and after the marriage; did the fears of Bothwell keep the unhappy Queen: the fulleſt evidence in the world ſurely, of her innocence; ſo full indeed, that I hope I may be allowed to parody theſe well-known lines of Shakeſpeare, and to ſay,

That had not Heav'n for ſome ſtrong purpoſe *ſeal'd*
The *eyes* of men, they muſt perforce have *ſeen it*,
And *Robertſon* himſelf have *cleared* her.

But upon the 14th of May he brought her before the council. A marriage-contract was there ſigned by them both. A copy of it was ordered to be regiſtered, in the books of council and of ſeſſion. And the next day they were married †.

SECTION

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* Keith, 418, and Pref. xi.

† Goodall, ii. 57—61, and Appendix, Nº x. Let me here obſerve, that the fact of the RAPE has now appeared ſucceſſively aſſerted, by Buchanan, by the Queen, by Melvill, by the rebel ſonnets, and by the rebel memorial; and yet that in a period of our hiſtory ſo read, examined, and canvaſſed, this the grand incident of Mary's life, which alone can account for ſome ſtriking parts of her conduct, has never before been introduced into the hiſtory of her life, and never before made the ground of any critical vindication of her. And I cannot but ſubjoin to this obſervation, an ex-

SECTION II.

WHEN he had previouſly gained her promiſe to marry him, then probably he permitted her to ſummon a privy council, and to hold it within the caſtle of Dunbar. Such a council appears to have been actually convened there, upon the 29th of April.

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tract from my previouſly-mentioned reply to Lord Hailes's letter.

“ You beheld the lines in the ſonnet, that proclaimed the rape loudly. You even cited one of the ſtrongeſt confirmations of the fact, that is poſſible to be given. You cited theſe very words of Melvill: “‘ the Queen could not but marry him, ſeeing *he had raviſhed her, and lain with her againſt her will.*’” Yet, after all, did you admit the fact? No! You turned the rape into a ſeduction. You turned the very authority, which told you of the ſexual intercourſe, and which told it in ſuch a manner as fully to juſtify Mary, into evidences *againſt* her, into proofs of her *weakneſs and wickedneſs.* This is ſuch an inſtance of mental infirmity, as can hardly be exceeded. Yet it was exceeded in Dr. Stuart. Without your bias of prejudice, and with only your example before him, he cited the very words of Melvill, juſt as you had cited them; and then—he perverted them, juſt as you had perverted them before. When I firſt ſaw this clearly in Dr. Stuart, I was perfectly amazed. The text and the note were in a ſtate of compleat contradiction. He had alſo overlooked one of the ſtrongeſt topicks for the juſtification of Mary, that the whole compaſs of hiſtory could furniſh. He had turned it even, into a crimination of her. And he had adopted all your Lordſhip's deviouſneſs of conduct, without one ſoliciting reaſon for ſo doing. But, had he lived to ſee my work, I doubt not he would have been inſtantly convinced of his errour. And I equally truſt, that

in Dr. Stuart's Hist. 2d. ed. v. 1. p. 216.

“ I ſhall

April *. She gave her promiſe the more readily to him, we muſt ſuppoſe, in order to bring him the more eaſily to her will in this. She was planning her deliverance by it. Her conduct at the aſſaſſination of Rizzio, when ſhe was equally impriſoned as now, and when ſhe lulled her keepers into ſecurity by an equally pretended acquieſcence in their meaſures; is the proper illuſtration of her management, at preſent. But the ſame ſucceſs did not attend her now. She endeavoured probably to enter into private converſation with ſome of the counſellors, for her reſcue. But ſhe would find their zeal for her, all ſtrangely at a ſtand. Morton, Lethington, and the conſpirators with them, if they were there, as there the principals

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“ I ſhall have the honour of making a compleat proſelyte of
“ your Lordſhip in time.”

. . . .

“ Yet, “‘ a farther difficulty occurs,’” you remark; “‘ how “‘ came the enemies of Queen Mary to know of this incident “‘ [the rape], ſo as to inſert it in the ſtanzas?’” How came “ Melvill, my Lord, to know of the rape itſelf? How came “ Morton and Lethington, my Lord, to know of it, and of “ that other circumſtance belonging to it, the ſtupifying “ draughts? The two latter ſay, that this “‘ by many conjec“‘ tures may well be ſuſpected.’” They had therefore “‘many’” “ means of “‘ conjecturing’” it. But they undoubtedly knew “ it all, from their confederate and their implement, Bothwell. “ I have accordingly ſaid, that, “‘ no doubt, they knew it “‘ from Bothwell himſelf, though they could not avow the “‘ communication’” (iii. 115). And in i. 219 I have given “ a memorable inſtance, of their indiſcreet readineſs to tell “ their own ſecrets of villainy with Bothwell, even at the “ hazard of betraying their own confederacy with him.”

* Keith, 374.

would undoubtedly be; would affect a total indifference concerning her captivity. Huntly, and the royaliſts, would be too much ſtunned with the blow ſtruck by Bothwell, with the affected indifference of the others, and with their own confuſedneſs of apprehenſion concerning the whole; to be able to exert themſelves with vigour. She would therefore derive no hope of reſcue, from any of her addreſſes to either *.

But ſhe would greatly alarm the fears of Bothwell, by all. Her converſation with the conſpirators, particularly, would be all betrayed to Bothwell again. And thoſe infernal patrons of the whole wickedneſs, would turn it all directly againſt her; and make it hurry him on with impatience, to the full and final conſummation of the enormity.

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* This privy council, *of itſelf*, refutes the idle tale reported by Buchanan, Hiſt. xviii. 356, by Knox, 405, and by Hume, v. 114, but contradicted in Crawford, 21, and Anderſon, i. 97; of Mary's nobles *ſending* to her at Dunbar from *Stirling*, with an offer of forces to reſcue her, if ſhe was detained againſt her will. The nobles could have offered it *in perſon*. And her pretended anſwer appears equally idle; that, though indeed ſhe had been taken *againſt her will*, yet ſhe was kindly entreated now. The rebels, in ſhaping this ſtory, reflected neither on the repugnancies of it to the privy council held at Dunbar, nor on the direct oppoſition of it to their own aſſertion, of the whole ſeizure being merely a colluſion between her and him. If ſhe had been ſeized *againſt her will*, then their aſſertion is an abſolute falſhood. And thus the unſkilful architect of falſhoods

Diruit, ædificat, mutat quadrata rotundis;

and never builds to any effectual purpoſe.

He determined upon it. Seduction was utterly impracticable. Even *his* ſenſualized and licentious ſpirit, had never ſuggeſted to him any hope of that. Even his infernal inſtigators themſelves, had never ſuppoſed there was a poſſibility of ſucceſs in that. His only reſource was violence. It was ſo, at the ſeizure. It was ſo, now. He had therefore determined upon a rape, then; and he determined again upon it, at preſent. Yet how ſhall he execute even this? HE MUST DEPRIVE HER OF HER SENSES, before he can. He accordingly mixes up his ſtupifying draughts. He takes advantage of the inſenſibility, into which he has thrown her. And he perpetrates the execrable deed.

When ſhe awoke to the full perception of the horrible inſult, that had been offered her; her indignation broke out in ſuch a high-toned ſtrain of reſentment, that he was rendered madly deſperate by it, and made a violent attempt upon his own life. He gave himſelf a ſevere wound. And he loſt a quantity of blood *. Her own life alſo was in danger, from the violence of her feelings †. At laſt, a flood of tears relieved her ‡. She was now capable of reflecting upon her diſmal ſituation. It was peculiarly diſmal. What ſhall ſhe do in it? She cannot but abhor the baſe and brutal villain. Yet how can ſhe now quit him? Her own modeſty, her own majeſty, and perhaps her own life, require her to ſmother her reſentments. She is humbled enough, to let the laſt enormity efface the firſt, and to plead its own pardon in its own audacity. She is compelled to determine, however reluctantly, upon taking the wretched raviſher for a huſband. And ſhe muſt be content, to paſs the melancholy remainder of her life with a man, whom ſhe at once deſpiſes and hates. "Sen it is paſt, and "cannot be brocht bak agane," after her marriage ſhe ſays to the King and Queen of France, to whom ſhe wiſhed not to diſcloſe the full extent of her huſband's iniquity; "we will make ye beſt of it *."

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* Sonnets and Notes before. † Ibid. ibid.

‡ Ibid. ibid.

It was for this reaſon, no doubt, that he removed her from Dunbar to Edinborough, on the 3d of May. She had agreed to marry him. And it was requiſite, therefore, in common decency, to remove all ſemblance of conſtraint, to let her appear to her people as at full liberty, and to ſhow her to them reſiding again in her palace of Holyrood-houſe. He ſet out to conduct her thither. He took not with him his whole force. Some of theſe he now diſmiſſed, as no longer neceſſary to his purpoſes. Of the reſt he took only a ſlight number. Nor would he ſuffer even theſe, to carry arms the whole way. They dropped their arms, as they approached the capital †. And "by the way," ſay Crawford's Memoirs, "the Queen *behaved her-"ſelf to the people*, as that Bothwell was *ready to "put her at liberty again*, according to the duty of "an obedient ſubject ‡." He intended it fully. Yet his bad heart, even now, miſgave him. He was even ſtill afraid to truſt her. So uniformly did he

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[*] Anderſon, i. 100.

[†] Crawford, 22, and N° x. Appendix.

[‡] Keith, 384.

acknowledge her innocence, by his apprehenſions! He knew the villainies which he had committed, in concurrence with Murray, Morton, and Lethington; the murder of the King, compleated by a rape upon the Queen. He had only her fears and her delicacies yet, betwixt himſelf and his deſtruction. He ſuddenly changed his intention, therefore. At the critical moment, he recoiled from the whole purpoſe of his journey. He dared not to let her go to liberty and her palace. He reſolved ſtill to continue her reſtraint. And he determined to lodge her in the *caſtle* of Edinborough, of which he had equally the command as of Dunbar caſtle. Accordingly, as Crawford's Memoirs again inform us, "at the entry of the tower that leads to the caſtle;" at the Netherbow Port, no doubt, then only a gate and gateway, with a tower over them for a porter's lodge *; to which the road from Dunbar directly led, and at which it ran on the right to Holyrood-houſe, and on the left to the caſtle; "he made "ſemblance to lead her bridle." As the whole tenour of the ſtory ſhows, he actually ſeized her bridle; turned the head of her horſe from the right-hand road, into which he had intended to have gone; and led her up the High Street of the city, into the caſtle. "And *ſenſible* people interpreted "the ſame, as that he conveyed her Majeſtie, AS A "CAPTIVE, into the caſtle; where a ſubject of his "was, called Sir James Balfour †." So ſtrongly did he expreſs his diffidence and her captivity, on *this* occaſion!

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* Arnot, 238, and Anderſon, ii. 175.

† Keith, 384.

Yet no one ſtirred for her. "At hir going—to "the caſtell," ſays Buchanan, "throw the cheif and "maiſt populous gait [ſtreet] of ye towne; thair "was all the way ane ſad glowmiing ſilence: and "quhen ane woman alone of the multitude had "cryit, *God ſave the Queen*; ane uther incontinent "ſa cryit out as all men micht heir it, *Sa be it to* "*every ane as thay have deſervit* *." The more judicious part of the citizens ſaw plainly, that ſhe was a priſoner; but never offered to releaſe her. They were out-numbered by the ſilly and the prejudiced, who, in the cunning and clamour of folly, aſſerted boldly; that Bothwell's taking hold of the Queen's bridle was only a "ſemblance." And ſhe was obliged to ſubmit to every inſult; to go in at the only opening that appeared, to liberty and her crown; and to marry her raviſher and her keeper in one.

She now, therefore, ſet herſelf in earneſt to the work. The day ſhe was brought to Edinborough caſtle, was a Saturday †. On Tueſday ſhe ſent Mr. Thomas Hepburne, a clergyman, with a verbal direction to Craig, the miniſter of St. Giles's conjointly with Knox ‡; to have the banns for her marriage publiſhed by him. Such an annunciation of an intended wedding, is now confined to the loweſt orders of life among us. But it was then requiſite even for kings and queens in Scotland. It had equally been practiſed, at the union of the Queen with Darnly *. It was to be made the three next preaching-days, which very ſurprizingly were then Wedneſday and Friday, as well as Sunday †. But the miniſter properly refuſing to take a *verbal* order, in ſo important a buſineſs; upon Wedneſday the Queen ſent him a written direction, as ſhe had equally done at Darnly's marriage; and equally ſubſcribed it with her own hand. The divorce was pronounced that very morning, in that very church, and therefore before the ſervice began. For this reaſon, Craig did not object to the publication upon that account. He had another ſcruple. He muſt now conſult the kirk, before he publiſhed the banns. He therefore omitted the publication that day. The next he conſulted the kirk. The kirk conſented to the publication. He accordingly publiſhed them for the firſt time, on Friday May the 9th ‡. Yet even then Bothwell would not venture, to give her her liberty. And he ſtill kept her in the caſtle. So diffident was he of her ſtill!

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* P. 85, Anderſon, ii. and 266, Jebb, i. † Goodall, ii. 249—250. ‡ Robertſon, ii. 376; Knox, 364; and Spotſwood, 192, edit. 3d.

The miniſter again publiſhed the banns, on Sunday May the 11th ‖. Bothwell then, and not till then, took courage to execute his purpoſe of

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* Keith, 304.

† Yet ſo they ſeem alſo to have been in England, from Forbes, ii. 181.

‡ Robertſon, ii. 450, and Anderſon, ii. 279. The rebel journal therefore is miſtaken in ſaying the banns were publiſhed the "nixt Sunday" after May the 3d.

‖ Anderſon, ii. 280.

Saturday, May the 3d, before. He brought her out of the caſtle, the next day. But, even then, he carried her before the court of ſeſſion, in the Tolbooth of the city. She there declared her anger at Bothwell, for ſeizing and detaining her perſon, to be paſt; expreſſed her forgiveneſs of the offence; avowed herſelf to be *now* at her freedom and liberty; and intimated her deſign, to promote the Earl to ſome additional honours *. And ſhe was then permitted by him, to go to her palace. So ſteadily and reſolutely ſuſpicious was he, of her hatred for him, and of her averſion to a marriage with him; that even after the brutal indignity offered her, after her promiſe of marriage in conſequence of it, after ſhe had ordered the banns to be publiſhed by a note under her own hand, and after the banns had been actually publiſhed no leſs than twice; he durſt not ſuffer her to leave the caſtle, and reſide in her palace, however neceſſary it was to his own ſchemes; until he had bound her up by a formal declaration of forgiving him, and by a formal intimation of promoting him, before ſome of the principal perſons of the kingdom, and in the preſence of a court of record.

He, even then, accompanied her to her palace. He alſo kept his guard of harquebuziers about her, there. He thus maintained a regular conſiſtency of jealouſy, as long as he could poſſibly ſhow it. Two days afterward the miniſter publiſhed the banns, for the third and laſt time †.

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* Goodall, ii. 242—243.

† Anderſon, ii. 281.

That day, the Queen ſigned a contract of marriage with Bothwell. And, the very next, they were married.

SECTION III.

DURING this detention of the Queen in Edinborough caſtle, a privy council was held there, equally as at Dunbar before. It was held on Thurſday May the 8th. Even a ſecond was held there the next day, Friday May the 9th. Bothwell was certainly preſent at both. Even one was held afterwards at Holyrood-houſe, on Wedneſday May the 14th. And Bothwell was alſo preſent at this *. Yet not a counſellor or a citizen, not a man, a woman, or a child, lifted up a ſingle hand to reſcue her. She even appeared before the court of ſeſſion, on Monday May the 12th. There the Earl of Huntly, the Biſhop of Roſs, the Biſhop of Galloway, and the Biſhop of Orkney; Gavin Hamilton, commendator of Kilwinning, Sir James Balfour, Sir Richard Maitland, and Sir John Bellenden; ſecretary Lethington, the Archbiſhop of St. Andrews, the Biſhop of Dumblane, the Earl of Crawford, and the Earl of Caithneſs; John, commendator of Aberbrothick, Alexander, commen-

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* Knox, 406; Anderſon, ii. 280, and 281; Keith, 384; and Goodall, ii. 57—61.

dator of Culroſs, Robert, commendator of St. Mary Iſle, and treaſurer to her Majeſty, Lord Seton, Lord Boyd, and the Provoſt of Edinborough; were all preſent. Yet not one of theſe reached out a ſingle finger to ſave her, though they ſaw her floating on the ſtream, and driving down with the current. Huntly, who muſt be conſidered as the head of the loyaliſts, now Bothwell has gone over to the factious; had been in Edinborough ever ſince the ſeizure, and had actually been holding the court of ſeſſion there, as if the Queen was at full liberty all the while *.

But that the Queen was all the while under the conſtraining power of Bothwell, is evident from the whole tenour of the hiſtory, and is even acknowledged plainly by the rebels themſelves. "James "Erle Bothuell," they ſay on the 12th of June afterwards, "put violent handes in our Soveraine "Ladies maiſt nobill perſoune, upon the 24 daie "of April laſt bypaſt; and thairafter wardit hir "Hienes in the caſtell of Dunbar, quhilk he had in "keiping; and, be a lang ſpace thairaftir conveyit hir Majeſtie, invironit with men of weir, "and ſic friendis and kinſmen of his as wald do "for him, *evir in ſic places quhair he had maiſt dominioun and power* †." Even when Craig the miniſter on publiſhing the banns, with all the arrogance of vulgarity then prevailing among the miniſters, "tuik heaven and erth to witnes, that he "abhorrit and deteaſtit that mariage;" he acknowledged at the ſame time, "that the BEST part "of the realme did approve it, ather be *flatterie* or "be thair *ſilence* *." And "the ſaid Erle" Bothwell, as the rebels additionally inform us in an act of their own privy council on July the 21ſt, "—eſter he had—treſonabilie reveſit hir Majeſties maiſt "nobill perſoun, and led hir captive to Dunbar, "*conſtrenit hir*, being *in his bondage and thraldome*, "*to contract—mariage with him* †."

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* Goodall, ii. 242—243.

† Anderſon, i. 131.

The factious nobles were continually urging the Queen, to the marriage; and the loyal peers ſtood by, confounded and mute. "A number of noblemen," ſays Melvill, "were drawn together in a "chamber within *the palace*," and conſequently on or after May the 12th; "where they all ſubſcribed "a paper, declaring that they judged it was much "the Queen's intereſt to marry Bothwel, he having "many friends in Louthian and upon the borders, "which would cauſe good order to be kept ‡." Thoſe, ſays Leſley, "whereof ſome are now the vehement and hotte fault-finders, and moſt earneſt "reprovers and blamers of the ſaid pretended mariage; were then the principal *inventers*, *practiſers*, *perſuaders*, and *compaſſers* of the ſame. "*They* procured a great part of the nobilitie, to "ſolicite the Queene to couple herſelf in mariage "with the ſaid Earle ‖." And Cecil, who was privy to all the plans of that rebellion, which was now in its very moment of projection, ſays expreſly in a letter ſo late as the TWELFTH of

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* Anderſon, ii. 280. † Ibid. i. 142. ‡ P. 80.
‖ P. 26.

May: "the Queen of Scots, I think, WILL be "WOED to marry the Earl Bothwell *." So neceſſary was it to *woo* and to *conſtrain* the Queen into the marriage; even at the very laſt! Such alſo was the ſteady perfidy and helliſh hypocriſy, of the conſpirators in the work! They were earneſtly preſſing the Queen to that marriage, which they were intending to make the very inſtrument of her ruin. They were in the mean time preventing the royaliſts from coming forward to ſtop it, by the ſurmiſe of a colluſion between the Queen and Bothwell. This calumny made a deep impreſſion for the time. The honeſt part of the nation *now* believed all, that the knaviſh ſuggeſted. They believed, even though they *ſaw* to the contrary. They diſcredited the teſtimony of their own ſenſes, and liſtened to the voice of rumour. They *could not but ſee* the violence offered to their Queen, yet they were taught to conſider it as all artifice. For fear of being impoſed upon by a *real* cheat, they allowed themſelves to be deceived by a *pretended* one †. And, all the while, Bothwell was "conſtraining her, "being in his bondage and thraldom, to contract "marriage with him."

The Queen was thus forced into his arms. Every thing co-operated to force her. That dreadful deed of degradation to the honeſt pride of woman, firſt reduced her to a level with him. Her total inability to reſcue herſelf from the toils, in which ſhe had been ſo wretchedly entangled; her repeated proofs, of the general indifference of her ſubjects to her fate; the horrible perfidiouſneſs, of the only part of her nobles who ſpoke to her upon the ſubject, who urged and urged her to the fatal precipice, "who ſmiled and ſmiled, and yet were villains;" and the violent driving of Bothwell, under whoſe guard of harquebuſiers ſhe was continually kept, "as well day as night, wherever ſhe "went:" all impelled her forwards with him, beyond her power to ſtruggle effectually againſt it. And all the while ſhe had a principle of wounded delicacy in her breaſt, that was perpetually betraying her from within, while ſhe was thus aſſaulted from without.

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* Cabala, Part 1ſt. 127.

† Keith, 383.

To ſuch an humiliation indeed was ſhe reduced by all, that ſhe was not even married to Bothwell in the only form, which could be agreeable to her conſcience or her prejudices. She had been married in the POPISH manner to Darnly; though Darnly was equally a Proteſtant with Bothwell *, was of the blood

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* Melvill, 56, and 57. The main paſſage in Melvill, indeed, hath been oppoſed by both Keith (278) and Guthry (Scotch Hiſt. vi. 258); upon that full perſuaſion which hath prevailed among all our writers, of Lenox and Darnly being Papiſts. But, as the paſſage in 57 ſhows the other in 56 *not* to be miſ-printed, which is Guthry's ſuppoſition; ſo facts and papers prove both to be true. On November 7, 1564, Randolph inveighs againſt Darnly as a Papiſt (Keith, 261). But, on December 2d afterwards, he only "ſuſpecteth his religion" (Keith, 268). And, on February 9, 1565, he adds exactly in the ſame ſtrain, that "it is ſuſpected—his religion is Popiſh" (Keith, 269). Darnly therefore, we may be ſure, was what Melvill

blood royal of England and Scotland, and the very choice of her heart. Yet ſhe was married in the PROTESTANT manner to Bothwell. "The marriage," ſays Melvill, "was made at the palace in "Holyrood-houſe, after ſermon, by Adam Bothwel Biſhop of Orkny; in the great hall where "the council uſeth to ſit, according to the order "of the Reformed Religion, and not in the chapel

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Melvill repreſents him, profeſſionally a Proteſtant. Yet on March 20, 1565, Randolph calls him expreſsly a Papiſt (Keith, 271). But on May 1ſt, 1565, the privy council of England, objecting to Mary's marriage with Darnly, ſay not a word of his being a Papiſt (Keith, 274—275). Even Randolph himſelf, on July 19, 1565, comes back once more from his certainties to his ſuſpicions. "Becawſe my Lord Darlye," he ſays, "wolde ſeeme to be indifferente" to Popery or Proteſtantiſm, "ſometyme he goethe wyth the Queen to the maſſe, "and theſe two laſte dayes hathe byne at the ſermonds: yt is "alſo ſayde, that ſhe wyll be mariede with a miniſter, whearof "I do dowte" (Keith, 301—302). Randolph repeats the ſame nearly, on July 31ſt, 1565. "He," Darnly, ſays the embaſſadour, "would now ſeem to be indifferent to both the religions, "*ſhe to uſe her maſſe*, and *he to come ſometimes to the preaching*: "they were married with all the ſolemnities of the Popiſh time, "ſaving that *he heard not the maſſe*" (Robertſon, ii. 347). He was therefore a Proteſtant by profeſſion. Nothing leſs than Proteſtantiſm, could have induced him not to ſtay at the maſs with the Queen, on the day of the marriage. And Knox ſays in the end of 1565, that the Papiſts "knew the King to be of "thair religioun, as weill as the Quene with ſome part of the "nobility; who, *with the King, efter declared thamſelves openly*" (Knox, 390). He therefore was *openly* a Proteſtant before. He accordingly banded with Murray, &c. to eſtabliſh Proteſtantiſm in Scotland (Keith, App. 121). And his father appeared as a Proteſtant, for all the reſt of his life.

“ at the maſs, as was the King's marriage *.” Her prejudices, her pride, and her conſcience, muſt all have revolted at this. But her raviſher and her tyrant inſiſted upon it. And ſhe was obliged to comply. He inſiſted upon it, to pleaſe thoſe whom he knew to be conſidered, as the leaders and the protectors of the Proteſtants; by whom principally his bond had been ſigned, and by whom peculiarly his marriage was to be fortified. “ He hes finalie *drevin* us to end ye work begun,” Mary herſelf complains, “ at ſic tyme, and IN SIC FORME, as *he thocht mycht beſt ſerve his turn*; quhairin we cannot diſſembill yat *he hes uſit us utherwayis, yan we wald have wiſſit*, or *zitt have deſerved at his*

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[*] P. 80. See alſo Spotſwood, 203. The rebel journal is wrong therefore, which ſays “ thay wer publicklie mareit efter baith the ſortis of the kirkis, reformit and un-reformit.” So alſo is the rebel bond of aſſociation on June 16, 1567, which ſays the marriage was “ accompliſhit on baith the faſchionis” (Anderſon, i. 136). Yet on theſe authorities Dr. Robertſon, i. 410, and even Dr. Stuart, i. 222, have aſſerted the marriage to have been made in the Popiſh as well as the Proteſtant manner, *privately* in the Popiſh manner, and *publickly* in the Proteſtant. But they thus contradict their principal authority directly. The rebel journal affirms the Queen and Bothwell, to have been “ *publicklie* mareit efter *baith* the ſortis,” &c. Nor can any one tell, *when, where,* or *by whom,* the Popiſh marriage was made between them. Melvill's account indeed *precludes* it. And the Queen's own intimation, produced immediately in the text, concurs with Melvill's to ſhow it all a fiction. The Queen even ſhows it to be a fiction, in her addreſs read and proclaimed at the head of her army, on the 14th of June 1567; when ſhe avers, that “ all the world knew her marriage” with Bothwell “ was contracted and ſolemnized *publickly*.” Crawford, 33.

" *hand*; having mair reſpect to *content* yame BY " QUHAIS CONSENT GRANTIT TO HIM BEFOIR- " HAND HE THINKS HE HES OBTENIT HIS PUR- " POIS,—yan *regarding oure contentatioun*, or zit " *weying quhat wes convenient for us*, yat hes bene " noriſſed in oure awin *religion*, and nevir intends " to leif the *ſamyn* for him or ony man upon " earth *." So much did he, *who knew beſt*, attribute the execution of the bond to the patrons of the Proteſtant party in the kingdom! So very deſirous alſo was he to gratify them, as to gratify them in the very moments of his marriage with the Queen, and even to gratify them by putting a violence upon the Queen's prejudices, and by applying a torture to the Queen's conſcience! And ſo greatly ſunk was the Queen from all the happy dignity of her former days, by the infamous brutality of this Proteſtant wretch, and by the infamous confederacy of all the Proteſtant wretches with him; as to be obliged to ſuppreſs her feelings, to ſubdue her prejudices of education, and to trample upon her principles of religion, at the cloſe of all!

All this ſerves to ſhow us at once the moral and the natural impoſſibility, of Mary's writing the ſonnets to Bothwell at preſent. Her averſion to the marriage, ſo fully evidenced by herſelf, and ſo ſtrongly reflected in the ſuſpicious activities of his conduct; could not admit one particle of that affection for him, which is expreſſed in the ſonnets. And during the whole of this awful period, which was pregnant with miſery to Mary, to Mary's friends, and, by a happy addition, to Mary's enemies too; Bothwell was *not* abſent from her, and ſhe *could not* and *would not* write the ſonnets to him.

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* Anderſon, i. 99.

When therefore do thoſe impoſſibilities ceaſe, and this abſence begin? The moral impoſſibility never ceaſes. It is as ſtrong after marriage, as before. It is even ſeemingly ſtronger. Bothwell had forced the Queen, in ſpite of all her averſions and reſentments, to marry him, to marry him at his own time, and to marry him in his own manner. His proud ſoul, which could ſtoop to ſeize the Queen in order to raviſh her, and actually raviſhed in order to marry her; grew indignant when the marriage had been celebrated, to think force had been neceſſary to bring her to it. He therefore roſe upon her with an elevation of brutiſhneſs, very natural to ſuch a ſoul, after ſuch a marriage with a *Queen*. He behaved with an air of diſdainful inſolence to her. He even deſcended to the rudeneſſes of abuſive language towards her. Her fine feelings were dreadfully hurt. Some remaining ſpirit of her former dignity, ſtruggled with the ſenſe of her preſent humiliation, in her boſom. A violent conflict took place. And, in one of theſe paroxyſms of perturbation, ſhe was ſo overborne by inſults ſuperadded to inſults; that openly, and in the preſence of ſome of her moſt reſpectable attendants, ſhe haſtily called for a knife to diſpatch herſelf with it; and ſhe vowed to practiſe ſome other mode of ſuicide, when ſhe was precluded from this *.

The very rebels themſelves have already acknowledged, in their written memorial of July the 20th, 1567, to Throgmorton, then Elizabeth's embaſſadour in Scotland; that, *after* the marriage, Bothwell kept her "environed with a continual "guard of 200 harquebuziers, as well day as night, "wherever ſhe went; that, if any man had to do "with the Prince, it behoved him, before he could "come to her preſence, to go throughe the ranks of "harquebuziers, under the mercy of a notorious "tyrant, as it were to paſs the pykes †." But they ſay the ſame in their firſt proclamation of June the 12th. The marriage "being endit," they *then* tell us, "and he ſtill proceiding from an [ane] "kind of iniquitie to another, his cruell and ambitious nature being knawin, and how na nobilman nor uther durſt reſort to hir Majeſtie, to "ſpeke with hir, to procure thair lauchfull buſineſs, *without ſuſpicion*, but *be him* and *in his audience*; hir *chalmer duiris being continuallie watchit* "*with men of weir*," &c. ‡ They therefore ſpeak on the 12th of June concerning *him*, as "halding "hir zit in captivitie;" they ſpeak on the 26th concerning *her*, as "continowing ſtill in thralldome "and bondage under the yoke of that—marriage;" and they declare on the 21ſt of July and the 16th of June concerning *themſelves*, that they took up arms “ to relieve our ſaid Soveranis perſoun furth “ of the *bondage* and ignominy, quhilk, with ye “ ſaid Erle, under ye pretence of ye ſaid unlauchfull mariage, ſche ſuſtenit ;” or, in nearly the ſame words, “ *to deliver our ſaid Soverane furth of* “ *his handis*, and of the ignominy, ſchame, and “ ſklander, quhilk, *being in thraldome with him*, “ ſcho has ſuſtainit undir pretence of the ſaid— “ mariage *.” And they even add on July the 20th concerning the *private* part of his behaviour to her, that ſhe “ ſhould not have lived with him *half* “ *a year* to an end ; as may be conjectured,” they ſay, “ by the ſhort time they lived together †.”

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* Melvill, 81. † Keith, 418. ‡ Anderſon, i. 136.

So clearly does the hiſtory of Mary and of Bothwell, *before* and *after* their union, and from the *beginning* to the *end* of their connexion, prove the connexion to have been a connexion of ambition in *him*, and the union an union of violence in *her* ; in *her* to have been preceded with diſlike, to have been accompanied with abhorrence, and to have been cloſed with fear, diſguſt, and hatred ! Yet this is the woman, whom the letters and the ſonnets pretend to deſcribe, as burning with a phrenzy-fever of love for the man ! The chemiſtry of a calumniator can thus extract fire, from the ſnows of Caucaſus. And the fiend of forgery can out-lye all the lying chronicles of Ireland,

Quicquid Græcia mendax
Audet in hiſtoriâ.

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* Anderſon, i. 132, 139, 143, and 137.

† Keith, 418.

SECTION

SECTION IV.

BOTHWELL indeed, *for ſome time after the marriage*, was *never* abſent from Mary. When was he *firſt* ſo? We ſhall ſoon ſee, by the light of the journal. This valuable record, which was formed by the rebels for their own ſupport; which has therefore been ſcouted by the friends of Mary; but which I have reſcued from contempt, and turned with efficacy, I think, againſt the rebels themſelves; informs us thus: "May 15th, thay "wer publicklie mareit,—and—*remaynit to the 7th* "*of June.*" There was no abſence then, *before* the ſeventh of June. Nor can the ſonnets, as an epiſtle addreſſed to the abſent raviſher, be dated ſooner. But what occaſioned his abſence at that time? A military expedition. "June 7," the journal tells us, "he purpoſit and rayd againſt the Lord "Howme and Ferneherſt, and ſo paſt to Melros, "and ſhe to Borthwick." In Borthwick therefore, at this time, and on this ſeparation, we may ſuppoſe the ſonnets to be pretendedly written. And the ſonnets themſelves coincide with this. In the 3d, Mary is made to ſay with alluſion to the preſent expedition, that Lady Bothwell has no fears for Bothwell's ſafety; and that ſhe herſelf is ſo much afraid of the appearances, as not to be able to take any reſt for them:

"Elle de voſtre mal n'a l'apprehenſion:
"Moy je n'ay nul repos, tant je crain l'apparence."

And in the 11th ſhe ſpeaks fully to the point, expreſſing her apprehenſions of ſome melancholy accident befalling him, and preventing his return to her:

"Une autre fois je crain quelque aventure,
"Qui par chemin deſtourne mon amant,
"Par un faſcheux et nouveau accident;
"Dieu, deſtourne tout malheureux augure!"

We muſt fix the ſonnets, however, a few days after June the 7th; as ſhe is made to complain in them, of his not having returned on the day he had promiſed. Yet he returned before the 11th. On that day he appears from the rebel journal, to have been with her in Borthwick. And the 9th or 10th of June can be the only day, in this view of circumſtances, to which it is poſſible for us to aſſign the ſonnets.

Yet, at that time, Mary could be little in ſpirits to write a poetical epiſtle to Bothwell, even if her heart had been as full of love, as it was of averſion, to him. A ſtrong ferment of rebellion, was now working in the nation. Mary had condeſcended to anſwer the malignant rumours, that were circulated concerning herſelf, in a proclamation on June the 1ſt. She had even on May 28th before iſſued a proclamation, calling many of her military tenants into the field, in order to ſuppreſs ſome commotions in Lydiſdale. They were to meet Bothwell at Melroſs, on the 15th of June. And the fidelity of the keeper of Edinborough caſtle, began to be ſuſpected *. In this critical ſituation of affairs, Bothwell reſolved to go immediately from Edinborough to Melroſs, and thence to advance upon Lord Hume and Ferniherſt; the former of whom was one of the moſt active of the rebels afterwards, and both muſt have been raiſing forces for rebellion at the time. But he durſt not leave the Queen behind him, for fear of her averſion to him, of her caballing with the keeper of the caſtle, and of her uniting with the rebels againſt him. Such an union would have been a more natural, and a more religious, way of terminating the inſults of Bothwell; than a deſperate act of ſuicide. And ſhe accordingly made uſe of the expedient afterwards, at the very firſt opportunity that offered.

In conſequence of theſe fears, Bothwell took her with him on the 7th of June, to the caſtle of Borthwick. He left her there with the garriſon, while he puſhed on to Melroſs. He meant to have cruſhed Lord Hume, and his principal adherent Ker of Ferniherſt. He found them too ſtrong for him, or he heard of the inſurrection behind him. He retreated to the Queen at Borthwick. He therefore returned *ſooner*, than he had intended. And the ſonnets, which ſpeak of his ſtaying *beyond* his intended time, are hiſtorically falſe.

Lord Hume marched haſtily after him, and made a junction with ſome other rebels. Theſe came up to Borthwick from the ſuburbs of Edinborough, which they had entered in arms upon the 10th.

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* Keith, 395—397; and Melvill, 80—81.

And both preſented themſelves before the gates of the caſtle, early on the 11th; the day after the return of Bothwell probably, and certainly in the darkneſs of the night. What was then the conſequence? Let the rebel journal tell us. "June 11," it ſays, "the lordis cam ſuddanlie to Borthwick: Bothwell fled to Dumbar, and the lordis retyrit to Edinburgh: She followit Bothwell to Dumbar diſguyſit *." The garriſon, to whoſe care ſhe had been committed, ſent a party, no doubt, to conduct her. Theſe, in order to conduct her the more ſafely through the dubious country, required her to wear a diſguiſe. And was this a time then, amidſt diſtractions and alarms; amidſt the dread of rebellions, and the movements of armies; and amidſt a chaos of fearful apprehenſions, of formidable rumours, and of melancholy realities; for Mary to delight herſelf, in writing a long and laboured ſonnet of twelve diviſions?

I nunc, et tecum muſas meditare canoras.

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[*] Goodall, ii. 164, and Appendix, N° x. The rebels on June the 10th entered the ſuburbs of Edinborough (Keith, 399); marched from thence in the night of the 10th and 11th to Borthwick caſtle, eight miles off (398); returned to Edinborough the 11th; dated their proclamation of the 11th from the ſuburbs (Anderſon, i. 128); forced the gates of the city on the 12th (Anderſon, i. 131); and then publiſhed their proclamation at the market croſs (Crawford, 30). "When at firſt we came about Borthwick," ſay the rebels themſelves; "—hearing he," Bothwell, "was eſcaped out of the houſe, we inſiſted no farther to purſue the ſame,—but came *back* to Edinburgh" (Keith, 419). The movements of the rebels and of Bothwell on this occaſion, wanted much to be traced with exactneſs. See alſo p. 18 of this volume.

Go now, and mount to the maſt-head in a ſtorm. There, while the winds are howling loudly about thee, while the ſhip is rocking violently under thee, and even ſome of the crew are deſperately wielding their axes againſt the maſt itſelf; ſit thou ſerene above, conſtruct thy ſtanzas, and ring thy rhymes, into a poem of great regularity and length. And, if thou canſt *not* do *this*, thou canſt *not* think it poſſible for Mary to do *that*.

But how wonderfully is all this heightened to the mind, when we take one more view into the ſtate of her ſpirit towards Bothwell? She muſt have had the pride of indignation, riſing within her at times for the ſeizure. She muſt have had the virtue of abhorrence, rankling frequently at her heart for the rape. And ſhe muſt have felt her whole ſoul continually on the rack within, from his baſe and barbarous treatment of her ſince. Accordingly, Melvill gives us this final account of her regard for Bothwell, in deſcribing the temper of her mind on June the 15th at Carbarrie Hill. "Many of "those who were with her" there, he ſays, "were "of opinion, that ſhe had intelligence with the "lords," then in arms and facing her; "eſpecially "ſuch, as were informed of THE MANY INDIGNITIES, PUT UPON HER by the Earl of Bothwell "*ſince* their marriage. HE WAS SO BEASTLY AND "SUSPICIOUS, that he ſuffered her not to paſs ONE "DAY in patience, without MAKING HER SHED "ABUNDANCE OF TEARS." So morally impoſſible is it for Mary, to have written the ſonnets *ſince* the marriage! Even as morally impoſſible, as to have written them *before* it! "Thus," adds Melvill, "part of his company deteſted him; other part of "them believed, that HER MAJESTY WOULD FAIN "HAVE BEEN QUIT OF HIM, but thought ſhame to "be the doer thereof directly herſelf*." She accordingly invited one of the rebel officers, to a parley. She agreed with him, to order Bothwell immediately off the field. She ſent that very officer to Bothwell with the order, inſtead of going and giving it herſelf. She ſaw Bothwell departing in conſequence of the order, without taking the ſlighteſt farewell of him. She then, in the gaiety and gallantry of majeſty, reached out her hand to the officer to kiſs, as a reward for his little ſervice. And, attended only by one of her ladies, ſhe rode with him, he walking on foot and holding her bridle, directly over to the rebels †. This is the laſt act, in the train of tranſactions between Mary and Bothwell. It is a very remarkable one. It receives a ſtrong light from all the preceding. It reflects a ſtrong light back upon them again. And it unites with all, to do what has never yet been done; to ſet the diſpoſition of Mary towards Bothwell, in its juſt and proper light; to reduce it from the towering heights of love, at which it has been fixed by the general opinion; to ſink it into the very depths of averſion and diſguſt; and ſo to prove the forgery of the ſonnets, to the conviction of every mind.

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* P. 82.

† Melvill, 83; Goodall, ii. 164—165; and that engraving by Vertue from original pictures, in Kenſington palace and at the Duke of Richmond's, of which I have given an account before, i. 4. 2.

SECTION V.

THUS replete with evidence againſt the ſonnets, is the frantick love of Mary, and the aſſerted abſence of Bothwell, in them! But, what is perhaps more extraordinary ſtill, the æra of Bothwell's abſence is not the only date, aſſigned by the ſonnets for their own origin. They have equally aſſigned a ſecond, and a different one. They have even aſſigned a third, very different from both. And the contradictorineſs of all the three, unites with the abſurdity of all, to make them ſo many demonſtrations of the ſpuriouſneſs of the ſonnets.

Though the abſence of Bothwell forces us forward to the 9th or 10th of June, yet another circumſtance carries us back to the 1ſt or 2d of May. The Queen in ſonnet 3d expreſsly declares, that ſhe was not then *married* to Bothwell, and that Lady Bothwell was *ſtill* his *wife*.

"Elle, pour ſon honneur, vous DOIT obeïſance:
"Moy vous obeïſſant, j'en puis recevoir blaſme,
"N'eſtant, a mon regret, COMME ELLE, voſtre
"FEMME."

This is very peremptory. The marriage had not yet taken place, which took place on the 15th of May. The divorce had not yet been pronounced, which was pronounced, at Bothwell's ſuit on May the 7th, and at his Lady's on May the 3d. Accordingly Buchanan ſays, as I have noticed before, that the ſonnets were written by Mary to Bothwell, "befoir hir marriage with him, and—befoir his di-"vorce from his wyfe." And, from this note of time, we cannot date the ſonnets later than the firſt or ſecond day of May. Then, little more than a week had paſſed ſince the ſeizure of the Queen. Yet in this week, according to the ſonnets, the Queen had been carried to Dunbar, and courted by Bothwell; had refuſed him, made him deſperate, and been raviſhed by him; had ſubdued her ſenſibilities at the barbarous and horrible outrage, and conquered her abhorrence of the brutal perpetrator of it; had even turned her hatred into love, grown deſperately fond of him, fancied him abſent while he was actually preſent with her, fancied a promiſe of return in him when he had never gone away, and written and ſent to him a long and particular hiſtory of her love, when all the while he was with her in the very caſtle, and perhaps in the very room.

But there is another circumſtance in theſe ſonnets, which carries us back even ſtill farther for the date of them. Lady Bothwell is repreſented as endeavouring *to draw Bothwell off from Mary*, as having therefore written ſome flouriſhing letters, and as pretending a very great regard for him. Yet, by the rebel journal, Lady Bothwell actually ſubſcribed a procuratory on the 5th of April, 1567, for commencing a ſuit of *divorce* againſt him*. This ſuit ſhe proſecuted very rapidly. On the 26th of April, two days after Bothwell's ſeizure of Mary, a precept was iſſued by the commiſſaries of Edinborough, for the appearance of Bothwell on the 29th. He appeared by his proctor accordingly, on that day. Her proctor then "took the oath "de calumniâ," to ſhow "he had juſt caus to purſew the ſaid action." He afterwards "took the "morne, the laſt day of Apryll, to prove the ſame "pro primâ." He appeared that day, "produced "ſome witneſſes" of Bothwell's adultery with one of her maids (ſo profligate was he!), and "took "the next day, being the 1. of May, to do farther "diligence." Upon the firſt of May "he pro-"duced ſome moe witneſſes, and renounced far-"ther probatioune." But "he deſired a term to "be aſſigned, to pronounce ſentence." Accordingly "the ſaid commiſſars aſſigned Satterday next, "the 3. of May, to pronounce ſentence therein, "ſecundúm alligata et probata." And ſentence "was given that day, in favour of the perſewar," Lady Bothwell †. Yet in the ſonnets ſhe is repreſented, as trying all her addreſs to win Bothwell from Mary. The period of the ſonnets, therefore, muſt be prior to the date of the procuratory. *After* that, ſhe could have no thought of drawing Bothwell off. Indeed ſhe ſo little thought of it in fact, that ſhe was continually and eagerly puſhing on the ſuit of divorce. And the ſonnets are thus dated before the letters from Stirling, and as early at leaſt as the 4th of April, 1567.

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* Appendix, Nº x.

† Ibid. and Robertſon, ii. 449—450.

Thus are we beaten backwards and forwards, by the reverberatory evidence of the ſonnets.

> Modó me Thebis, modó ponit Athenis.

We have no reſt any where for the ſoles of our feet. And the cauſe of all is this.

When forgery ſat down to its grand operations; when

> The Genius and the mortal inſtruments
> Were all at work,

to produce their horrible train of machinations againſt Mary; the deſign was to be as ſucceſsful over her by fictions, as they had been over Bothwell by truths. In all their papers at firſt, they had vented their malice againſt *him* alone, as guardians for their Queen, and as champions for her ſon. But as ſoon as this was done, and the imbecility of un-ſupported guilt ſunk before them, they then turned all their batteries upon innocence. They took advantage of that very connection of hers with guilt, which they themſelves had recommended to her, and had united with this guilt to force upon her. They called up all the Fiends of Hell, as I have formerly obſerved, to aſſiſt them in their counſels. They adopted all the ſuggeſtions of Hell, in the execution of them. Bothwell, whom they had execrated before as a monſter in impiety, as the murderer of Darnly and the raviſher of Mary; was now to be rendered important at her expence, as peſtered by her love, and overpowered by her fondneſs. He was to appear indifferent to her regard. She was to appear wanton in her advances. He was even to conſider her, as a woman of no judgment. And the amiable, the religious, and the accompliſhed Mary, for whom they had taken up arms againſt Bothwell, to free her perſon from his harquebuſiers, and to diſſolve her forced marriage with him; was to be involved in all his criminality; was to ſuffer for that murder and that rape, to which *they* had ſtimulated him, and by which *ſhe* had been ſo dreadfully injured before; and was even at laſt to be degraded under the very feet, of this their executioner and their hangman in villainy. With this view they wrote the letters, they drew up the contracts, and they compoſed the ſonnets. The particular deſign of the laſt, was to continue the fictitious tale of the firſt, to exhibit the ſame fever of love in Mary as they do, and to ſhow her in the ſame frenzy of attachment to the very laſt. But, in order to do this, they *could* not confine themſelves within the compaſs of hiſtorical dates. They were obliged to burſt the narrow ſphere of hiſtory. They muſt enlarge the viſit at Glaſgow. They muſt lengthen the ſtay at Stirling. They muſt extend the captivity in Dunbar and Edinborough caſtles. And they muſt extend the laſt particularly, into a moſt immeaſurable length.

That abhorrence for the raviſher, which the dignity of delicacy, the pride of admiration, and the elevation of royalty, muſt have all united to fix deep in the boſom of Mary; was to go off by degrees, under the effacing hand of time. Even a new ſpirit was to riſe in its place. Eſteem was to ſucceed abhorrence. Affection was to be founded upon eſteem. And this was to be fomented into love, to be kindled into paſſion, and to blaze out into a wild extravagance of both. To do this with any propriety at all, and to prevent the forgery of the facts from ſtaring full in the face of credulity itſelf; the ſhort line of chronology was to be abandoned, the latter half of May was to be intercalated at the beginning of it, the firſt week in June was to be ſubjoined to the end of April, and indiſtinct intimations were to be given, of a ſtill larger period intervening between all.

But, by thus endeavouring to give ſome air of nature and probability, to the monſtrous incredibility of their fictions; they betrayed the fabrication of the whole at once. They laid themſelves open to a more obvious detection, than what they were aiming to avoid. Nature may frequently be violated with impunity. Chronology ſeldom can. Numbers cannot well determine, in the ſtrange excentricity of the human paſſions; what is abſolutely incredible concerning them, and what is not. But all can tell, when an aſſerted incident is ſhown to be contrary to an hiſtorical date. And by a ſtroke of infatuation which cannot be too frequently noticed, for fear leſt, in the minuteneſs of theſe events, other records ſhould fail us; the rebels themſelves ſupplied us with a long and particular journal, to ſhow us the true dates of facts, and to expoſe their own falſhoods by the light of it.

By this, peculiarly, have the ſonnets and the letters been ſhown to be ſpurious. The makers of them, have broken through all the barriers of *their own* hiſtory. They have ſtarted aſide from the orbit, of *their own* chronology. They have taken a flight beyond the bounds of *their own* creation, have ranged into the chaos of fiction and abſurdity without, and placed themſelves conſpicuous in THE PARADISE OF FOOLS there. And, what forms a very ſingular concluſion to the whole, as the letters and the ſonnets reſpectively have thus betrayed *themſelves* to be forgeries, ſo have the ſonnets additionally expoſed the forgery of the *letters*, in the fulleſt manner.

CHAPTER THE FOURTH.

I HAVE now laid open the ſpuriouſneſs of the ſonnets and of the letters, I truſt, with an overpowering luſtre of evidence. I ſhall therefore paſs immediately to the contracts. Theſe are the only part of the principal forgeries, which have not yet undergone an internal examination. They equally invite the eye and knife of the hiſtorical anatomiſt. They will equally be found diſeaſed under them. And I hope to read a lecture over them, of equal power and utility with any that I have read before. It will, at leaſt, be proportioned in its power to the lower degree of impudence, with which theſe additional forgeries have thruſt themſelves into the eye of the world; and, in its utility, to the inferiour ſpirit of malignity, with which they have preſumed to ſet themſelves againſt Mary. It will thus be equally deciſive in the ſcale, againſt them. A lighter weight requires only a lighter hand, to overbalance it. In order to ſhow them truly light in the balance, I ſhall lay the contracts themſelves, as I have laid the letters and ſonnets, before my reader. I ſhall then produce that real contract, of which the others are mere mimickries; but mimickries dreſt up in the garb of miſchief, and calculated to impoſe themſelves upon mankind for the other. The ſhade has thus preſumed to arrogate to itſelf, all the conſequence of the ſubſtance; even to ſtep before it in dignity; and actually to paſs itſelf off upon the weakneſs of credulity, for the ſubſtance itſelf. And I ſhall endeavour to ſhow them as they really are, to my reader.

SECTION I.

THE FIRST CONTRACT OF MARRIAGE PRODUCED BY MURRAY *.

"Nous Marie, par la Grace de Dieu, Royne "d'Eſcoſſe, Douaryere de France, &c. promettons "fidellement, et de bonne foy, et ſans contraynte "(1), a Jaques Hepburn Conte de Boduel, de "n'avoir jamays autre eſpoulx et mary que luy, et "de le prendre pour tel, toute et quant fois qu'il "m'en requerira, quoy que parents, amys, ou au-"tres, y ſoient contrayres. Et puis que Dieu a "pris mon feu mary Henry Stuart dit Darnlay (2), "et que par ce moien je ſois libre, n'eſtant ſoubs "obeïſſance de pere, ni de mere (3); des maynte-

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* Now in the Cotton library, Caligula, C. i. f. 202; Goodall, i. 126, and ii. 54.

“ nant je proteſte, que, lui eſtant en meſme liberté
“ (4), je ſeray preſte, et d'accomplir les ceremonies
“ requiſes au mariage: que je lui promets devant
“ Dieu, que j'en prantz a teſmoignaſge, et la pre-
“ ſente, ſignée de ma mayn (5). Ecrit ce (6)”

“MARIE R.”

(1) This ſtroke betrays the period, for which the contract was originally calculated. It was calculated for the time of Mary's confinement in Dunbar and Edinborough caſtles. At no other period, could there be the ſlighteſt reaſon for intimating, that ſhe did *not* enter into the contract *by conſtraint*. Accordingly, the *real* contract carries no ſuch intimation in it. And ſhe actually gave Bothwell a promiſe of marriage, as I have ſhown before, during her confinement at Dunbar.

(2) This ſhows the contract to have been made *poſteriour* to the murder of Darnly. Yet Buchanan, with an amazing *ſang froid*, intimates it to have been *prior*. He even does ſo, in an *expreſſed* oppoſition to theſe very words, and yet without *adducing* any proof againſt them: “Quhilk wryting, being
“ without dait, and thocht [though] *ſum wordis*
“ *thairin ſeme to the contrarie*, zit is *upon credibill*
“ *groundis* ſuppoſit to have bene maid and writtin
“ be hir, *befoir* the deith of hir huſband *.” So freely could theſe forgers contradict and oppoſe their

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* Anderſon, ii. 92.

their own evidences, in their eagerneſs to calumniate Mary! And, as I hope I may ſay without offence, *hath not the potter power over the clay?*

(3) This ſeems to ſpeak the formal language of the law, and ſo to coincide with the chancery hand of the original. Mary, writing the contract herſelf, could never have thought of ſuch a mere impertinence, as to aſſert ſhe was not under obedience to father or to mother. Nothing, but the cuſtomary comprehenſiveneſs of the law, could have ſuggeſted the words.

(4) This hints at the intended divorce of Bothwell from his wife; and ſo unites with the conſtraint denied before, to date the contract in April, 1567.

(5) This concurs with the legal turn of the contract, to ſhow it was written by ſome lawyer, and only ſubſcribed by Mary.

(6) This however contradicts both, and aſſerts the contract to have been written, as well as ſubſcribed, by Mary. It *was* ſo, when ſhown at York. It was *not* ſo, when given to Cecil. The *aſpect* of the contract itſelf, ſhows it only to have been pretendedly ſubſcribed by Mary. And the *language* of the contract, aſſerts it to have been only ſubſcribed, and yet avers it to have been alſo written by her. So thoroughly are the two plans incorporated together!

SECTION II.

THE SECOND CONTRACT OF MARRIAGE PRODUCED BY MURRAY *.

(1) “ At Setoun, the v. day of Apryll, the zeir “ of God 1567, the richt excellent, richt heich and “ michtie Princes, Marie, be the Grace of God, “ Quene of Scottis; conſiddering the place and eſ“ tait quhairin Almightie God hes conſtitute hir “ Heichnes, and how, be the deceis of the King hir “ huſband, hir Majeſtie is now deſtitute of ane “ huſband, leving ſolitarie in the ſtait of wedow“ heid; in the quhilk kynde of lyfe hir Majeſtie “ maiſt willingly wald continew, gif ye weill of hir “ realme and ſubjectis wald permit; bot, on the “ uther part, conſiddering the inconveniencis may “ follow, and the neceſſitie quhilk the realme hes, “ yat hir Majeſtie be couplit with ane huſband; “ hir Heichnes hes inclynit to mary. And ſeing “ quhat incommoditie may cum to this realme, in “ cace hir Majeſtie ſuld joyne in mariage with ony “ forane prince of ane ſtrange natioun; hir Heich“ nes hes thocht rather better, to zeild unto ane of “ hir awin ſubjectis; amangis quhome, hir Majeſtie “ findis nane mair abill, nor indewit with better “ qualiteis, then the richt nobill and hir deir couſing “ James Erle Bothwell, &c. of quhais thankfull

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* Buchanan's Detection, 93—96; Anderſon, ii.

"and trew ſervice hir Heichnes, in all tymes by-"paſt, hes had large pruſe and infallibill expe-"rience. And ſéing not only the ſame gude mynd "conſtantly perſevering in him, bot, with that, ane "inward affectioun and hartly luſe towardis hir "Majeſtie; hir Heichnes, amangis the reſt, hes "maid hir choſe of him: and thairfoir, in the pre-"ſence of the eternall God, faithfully, and in the "word of ane prince, be thir preſentis, takis the "ſaid James Erle Bothwell as hir lawfull huſband; "and promittis and obliſis hir Heichnes, that how "ſone ye proces of divorce, *intentit* betwix ye ſaid "Erle Bothwell and Dame Jane Gordoun, now his "pretenſit ſpous, beis endit be the ordour of ye "lawis, hir Majeſtie ſall, God willing, thairefter "ſchortly mary and tak the ſaid Erle to hir huſ-"band, and compleit the band of matrimonie with "him, in face of haly kirk, and ſall never mary "nane uther huſband bot he only, during his lyfe-"tyme. And as hir Majeſtie, of hir gratious hu-"manitie and proper motive, without deſerving of "the ſaid Erle, hes thus inclynit hir favour and "affectioun towardis him; he humblie and reve-"rentlie acknawledging the ſame, according to his "bound dewtie; and being als fré and abill to mak "promeis of mariage, in reſpect of the ſaid proces "of divorce, *intentit* for divers reſſonabill cauſis, "and yat his ſaid pretenſit ſpous hes thairunto "conſentit; he preſentlie takis hir Majeſtie as his "lauchfull ſpous in the preſence of God, and pro-"mittis and obliſis him, as he will anſwer to God, "and upon his fidelitie and honour, that, in all di-

" ligence poſſibill, he ſall proſecute and ſet fordwart " the ſaid proces of divorce, *alreddy begunne and intentit* betwix him and the ſaid Dame Jane Gordoun, his pretenſit ſpous, unto the fynall end of " ane decreit and declarator thairin: and incontinent thairefter, at hir Majeſtie's gude will and " pleſure, and quhen hir Heichnes thinkis convenient, ſall compleit and ſolemnizat, in face of " haly kirk, ye ſaid band of matrimony with hir " Majeſtie; and luſe, honour, and ſerve hir Heichnes, according to the place and honour that it " hes pleiſit hir Majeſtie to accept him unto, and " never to have ony uther for his wyfe during hir " Majeſteis lifetyme. In faith and witneſſing " quhairof, hir Heichnes and the ſaid Erle hes " ſubſcrivit this preſent faithfull promeis with yair " handis, as followis; day, zeir, and place foirſaidis; " befoir thir witnes, George Earle of Huntly, and " Maiſter Thomas Hepburne, perſoun of Auldhamſtock (2), &c.

" MARIE R.
" JAMES Erle BOTHWELL." (3)

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(1) That Murray produced this contract at Weſtminſter as well as at York, is plain. " Thear " was alſo a contract ſhewed unto us," ſay the commiſſioners at York, " ſigned with the Quene's " hand, and alſo with Bothwell's, bearing date the " fifth of Aprill," &c. There was alſo " produced,

"read, and viewed," ſays the privy council on December 15th, "the original writing, ſuppoſed "to be written by the Erle of Huntley; being "a contract of mariage betwixt the Quene and "the Earle Bothwell, dated at Seaton the 5th of "Aprill," &c. Yet it is not noticed by the commiſſioners at Weſtminſter, as then received by them. What they received on the 8th of December, is ſaid by themſelves to be, "ſeven ſeveral wrytings "wrytten in *French*, in the lyke Romain hand" as the Queen's. But this contract was not in French; and is not written in a hand like the Queen's. It is in Engliſh, and pretends to be penned by Huntly. When then was it delivered? The privy council ſhall tell us, though the commiſſioners do not. It was delivered on the 7th. "The true "copy wherof," ſays the journal of the council, "is amongſt the things exhibited the 7th of De"cember *."

(2) This very perſon, who was parſon of Auldhamſtock, a part of Bothwell's eſtates, ſued out the commiſſion for Bothwell, in his cauſe of divorce againſt his lady †. He then went to Craig the miniſter, with a verbal notice for publiſhing the banns ‡. For theſe and perhaps other ſervices, he was by Bothwell's intereſt created Maſter of Requeſts ||. But he was, what few of Bothwell's followers were, faithful to his patron and his Queen in their hour of adverſity. He helped to keep the

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* Goodall, ii. 141, 257, 235, and 257. † Douglas's Peerage, 86, and Robertſon, ii. 450. ‡ Anderſon, ii. 279. || Keith, 387.

caſtle of Dunbar, on the flight of Bothwell and the impriſonment of the Queen *. He even attempted to ſurprize Dunbar for her afterwards, on her eſcape from priſon †. All unites to account, for his being made a witneſs by the rebels here. And the reaſon for dating the contract at *Seton*, and on the *fifth* of April, was; that a privy council was held on the fifth at Seton, and a proclamation iſſued concerning the comptroller ‡.

(3) Buchanan has made a remark upon this contract, which ſhows him to have *not* been in the ſecret of its forgery, and ſo unites with what I have obſerved before to prove; that even the moſt truſty retainers to Murray knew only *parts* of the general villainy, ſome of them probably one part, and ſome another; and that the *vaſt whole* was graſped only, by the comprehenſive ſpirit of Murray himſelf, &c. " It appeiris," he ſays, " be the wordis of the con- " tract itſelf, that it was maid befoir ſentence of " divorce betwix Bothwell and his former wyfe; " and alſwa *in verray treuth was maid, befoir ony* " *ſute of divorce intentit or begune* betwene him and " his former wyfe, thocht [though] ſum wordis in " this contract ſeme to ſay utherwyſe. Quhilk is " thus provit: for this contract is daitit the v. of " Apryll; and it plainly appeiris be the judiciall " actis, befoir the twa ſeverall eccleſiaſticall ordi- " narie judges, quhairin is contenit the haill proces " of the divorce betwene the ſaid Erle and Dame " Jane Gordoun his wyfe, that the ane of the ſame

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* Keith, 455. † Ibid. 473. ‡ Ibid. 374.

"proceſſis was intentit and begune the xxvi. day "of Apryll, and the other the xxvii. *." That Buchanan ſhould convict one of the criminating evidences againſt Mary, very clearly of forgery; is certainly a very ſingular phænomenon in itſelf. Yet ſuch is the fact. He has here produced a principle of detection, which ſhows the contract to be abſolutely ſpurious. He did not intend to do this. But he has done it. At the date of the contract, April the 5th, the divorce is ſaid by the contract itſelf, to have been "alreddie begune." Yet it was not begun, ſays Buchanan, before the 26th of that month in one of the courts, and before the 27th in the other. This is a deciſive evidence of forgery. The contract was evidently not written, till ſome conſiderable time after the date; till the exact remembrances of dates, were confounded in the memory of the writer; and till the forgery and the truth, the real and the pretended dates, were ſtruggling within him for ſuperiority;

Till gods met gods, and juſtled in the dark.

And, thus both obtaining an influence over him, he fixed the day from the forgery, and he inſerted the fact from the truth.

But Buchanan is not the only rebel, who has produced this principle of detection againſt the contract. Mr. James Macgill, and Lethington himſelf, have with an equal unwittingneſs produced it; and ſo have ſhown themſelves with an equal clearneſs, to be *not* in the ſecret of its forgery.

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[*] Anderſon, ii. 96.

gery. At the conference in York, "the Lord of "Lethingtoun, James Makgill, and Mr. George "Boqwannan, and another, being a lord of the "ſeſſion," ſhowed this contract to the Engliſh commiſſioners; "which contract beareth date," ſay the commiſſioners from the rebel inſtructions, "—*before* the proceſſe of divorce *began* between "Bothwell and his wief, which was not begunne "before the firſt of May *." This is exactly the argument of Buchanan himſelf, againſt the contract. It was meant to operate, as a powerful piece of artillery againſt Mary. And it recoils back with an overbearing force, upon her aſſailants. The contract beareth date the 5th of April, and yet mentions the ſuit of divorce to be "alreddie begunne" between Bothwell and his wife. But, as theſe unintentional expoſers of the forgery very juſtly aſſert, the ſuit was *not* begun *then*, and was *not* begun till *many days afterward*.

It was not begun, ſays Buchanan, till the 26th and 27th. For this he *cites* the "judicial actis, "befoir the twa ſeverall eccleſiaſticall ordinarie "judges." But theſe do not prove the days alledged. Theſe ſhow the ſuit to have begun on the 29th of April in one court, and on the 3d of May in the other †. Yet the rebel journal agrees with Buchanan. And the journal was undoubtedly the authority, to which he *meant* to refer, and *dared* not to appeal. This ſtates the two "precepts of "partiſing" in the cauſe, to have been iſſued on the very days, upon which Buchanan avers the cauſe to have begun, the 26th and 27th of April *. The cauſe, however, was not begun, ſays the ſame Buchanan at York, as acting in concert with Lethington, Macgill, and another, "before the firſt "of May." So different were the accounts of the rebels at different times! We have ſeen the ſame contradictorineſs before, concerning the *continuance* of the ſame cauſe. And it is uſeful to mark all their variations, as they come in an endleſs ſucceſſion before us. But all theſe varying dates, at preſent, unite to prove the forgery of the contract. On whichever of the days the ſuit began, it certainly began *after* the date of the contract. On any of the days, the forgery is very apparent. And it is equally apparent, that the fact of the forgery was not known to Buchanan to Macgill, or even to LETHINGTON; and that it was known only to Murray and to Morton, and perhaps only to Murray himſelf.

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* Appendix, N° v.

† Robertſon, ii. 449—450.

All this lays open a *new* ſource of conviction to our minds. It ſerves alſo to ſhow us, that as different parts of the rebel forgeries were executed by different perſons, and ſome quite unknown to the others; as LETHINGTON aſſuredly made the LETTERS, and BUCHANAN compoſed the SONNETS, and LETHINGTON tranſcribed BOTH into a handwriting imitative of Mary's: ſo MORTON probably drew up THE FIRST CONTRACT for Mary, which was *therefore* written in a *chancery* hand, unlike her's; MORTON alſo drew up probably the SECOND CONTRACT, in the pretended hand-writing of Huntly, his immediate predeceſſor in the office of chancellor; and MURRAY himſelf, who was the preſiding genius of the whole villainy, and ſet all the implements of iniquity to work, probably fabricated with his own hand THE CONFESSIONS of Paris, &c.

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* Appendix, Nº x.

But let us go on to open another ſource of conviction, though of a kind with which we have been familiarly acquainted before. And the more we examine theſe artificial writings, the appearances of forgery ſhow themſelves more numerous to us.

I have called this the *ſecond* contract, becauſe it is called ſo by the rebels. Their journal ſpeaks of it thus: "April 5. The *ſecund* contract of mariage, "per verba de præſenti, wes maid and wryttin "be my lord of Huntly *." Yet in *date* it is actually the firſt. This is plain from what I have obſerved, concerning the date of the other. And *in fact* it *was exhibited firſt* to the commiſſioners at York. "There was—a contract ſhewed unto us," ſay the commiſſioners, "ſigned with the Quene's "hand, and alſo with Bothwell's, bearing date "the fifth of Aprill; written, as it is ſaid, with "the Earl of Huntley's own hand, who, with one "Thomas Hebourne, were the only witneſſes to "the ſame:—there was alſo a contract ſhewed un-"to us, of the Quene's own hand, of the marriage "to be had betweene her and Bothwell, bearing

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* Appendix, Nº x.

“ no date, which had not verba de præſenti, as the “ other had bearing date the 5th of Aprill *.” The perſons, who ſhowed the former to the commiſſioners, evidently ſpoke to them in the very language of the journal concerning it. Yet they directly contradict the journal, in the order of exhibiting both. And they thus preſent us with another inſtance, of the natural confuſedneſs of guilt.

The firſt contract, indeed, was originally intended to be the ſecond. This the hint of denied conſtraint, given us in that contract, and not given us in the other, ſufficiently ſhows of itſelf. But afterwards it was reſolved to be conſidered as the firſt, as earlier in date than the other, and as going back we know not how far into the paſt. Hence the journal notices the other on the 5th of April, and calls it the *ſecond*. And hence Buchanan more explicitly tells us of this, that, “ thocht ſum wordis thairin “ ſeme to the contrarie, zit [it] is upon credibill “ groundis ſuppoſit to have bene maid and writtin “ be hir, *befoir the deith of hir huſband*.” From this variation in the plan of the rebels, aroſe a natural variation in their conduct. The whole tenour of the contract ſhows it to have been written for a period poſteriour to the death of Darnly. And one ſtroke in it, fixes it even poſteriour to the ſeizure of Mary. Yet the rebels had the hardineſs in defiance of all, to aſſign it an earlier date. It therefore became prior to the other in the journal, and prior even to the King's murder in Buchanan.

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* Appendix, Nº v.

It ſtill ſhowed itſelf, however, to be actually poſteriour to both, when it was exhibited by the rebels at York; and it was actually exhibited as poſteriour, by the rebels themſelves there. And thus do theſe unſkilful architects in villainy, once more appear before us; not contenting themſelves to work, upon their original model; but raiſing their ſuperſtructure to a height, which they had not framed their foundations to bear; and ſo bringing down their whole building, by pieces, in ruin and deſtruction on their heads.

SECTION III.

THE TRUE CONTRACT OF MARRIAGE BETWEEN MARY AND BOTHWELL *.

(1) " At Edinburgh, the xiiii. day of Maii, the
" zeir of God M D. thrie ſcoir ſevin zeris, it is ap-
" pointit, agreit, contractit, and finallie accordit,
" betwix the richt excellent, richt heich, and
" michtie Princeſſe MARIE, be the Grace of God
" Quene of Scottis, Dowarrier of France, on the
" ane part; and the richt noble and potent Prince
" JAMES Duke of Orknay, Erle Boithvile, Lord

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* From the original in the Royal Archives of Scotland, Goodall, ii. 57—61.

" Halis, Creichtoun, and Liddiſdaill, greit Admirall of this realme of Scotland, on the uther " part; in manner, forme, and effect, as efter followis; that is to ſay.

" Forſamekle as hir Majeſtie, conſidering with " hirſelf how Almichtie God hes not onlie placit " and conſtitute hir Heines to regnne owir this " realme, and during hir lyvetyme to governe the " people and inhabitantis thairof, hir native ſubjectis; but als that of hir royall perſoun ſucceſſioun mycht be producit, to enjoy and poſſes this " kingdome and dominionis thairof, quhen God " ſall call hir Hienes to his mercy, out of this mortall lyff; and how gracioußie it hes pleſit him " alreddie to reſpect hir Hienes and this hir realme, " in geving unto hir Majeſtie hir maiſt deare and " onlie ſone the Prince, [for which] baith hir " Hienes ſelf and hir haill ſubjectis ar detbund, to " rander unto God immortal prayſe and thankes: " And now hir Majeſtie; being deſtitute of an huſband, levand ſolitary in the ſtate of wedoheid " (2); and zit zoung and of fluriſhing aige, apt " and able to procreat and bring forth ma children " (3); hes bene preiſſit and humbly requirit to " zeild unto ſum mariage. Quhilk petitioun hir " Grace weying, and taking in gude part; bot " cheiflie regarding the preſervatioun and continewance of hir poſteritie; hes condeſcendit " thairto. And mature

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(1) Buchanan, in that bold repugnancy to his

own and the rebel accounts before, which marks the general tenour of his Hiſtory; aſſerts *this* contract to have been produced at Weſtminſter, with the other two. There were then exhibited, he ſays, ma-"trimonii contractus *tres*; primus,—ipſius Reginæ "manu ſcriptus—; alter,—Huntilæi manu con-"ſcriptus; tertius, *ſub ipſas nuptias palam factus* *." Buchanan thus contradicts his own account in the Detection †. He alſo contradicts the account given by Murray himſelf ‡. And he contradicts equally the journal of the Engliſh council ‖. A contract genuine and publick, indeed, could anſwer no poſſible purpoſes of calumniation, againſt ſuch a princeſs as Mary.

(2) Of this very natural preamble in the true contract, the mimick one has taken only a ſlight part; compreſſing the ſentences before into this one, "conſidering the place and eſtait quhairin "Almightie God hes conſtitute hir Heichnes;" and then repeating the preſent thus, "how, be the "deceis of the King hir huſband, hir Majeſtie is "now deſtitute of ane huſband, leving ſolitarie in "the ſtait of wedowheid."

(3) In the room of this curious language, the other contract ſays thus; "in the quhilk kynde of "lyfe hir Majeſtie maiſt willingly wald continew, "gif ye weill of hir realme and ſubjectis wald per-"mit." This is evidently more delicate, than the preſent paſſage. But then that very circumſtance proves the forgery of the contract. Huntly is aſ-

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* Hiſt. xix. 374. † P. 92—97. ‡ Appendix, Nº xi. ‖ Ibid. Nº ix.

ſerted to have drawn it up. He was at the time chancellor of the kingdom. He therefore drew up the real contract, no doubt. And, for *this* reaſon, he was aſſerted to have drawn up the mimick one. But the latter was aſſerted, alſo, to be *in his handwriting*. This was a very abſurd addition in Murray. It was a wild extravagance of fiction. Though the chancellor might draw it up, the chancellor would certainly not engroſs it. And the very form and faſhion of it ſhows it, *not* to have been even drawn up by the chancellor, or any other lawyer, at all. We need only compare the real and the mock rainbow together, to know which is the one and which the other. The genuine contract, we ſee, exhibits itſelf in all the ſtrong colouring of the law. The ſpurious attempts to preſent the ſame colours to the eye; but preſents them faint from the reflection, and feeble in the repetition. The one holds up to us thoſe delicacies of civilized life, which have always avoided to ſpeak out on ſome incidents of our animal nature. And the other gives us that blunt loquaciouſneſs of law, which dares to deſcribe whatever we dare to do, and ſtill pollutes all our marriage-contracts, with what is conſidered as the neceſſary ribaldry of legal exactneſs.

“ deliberatioun being had towert the perſonaige of
“ him, with quhome hir Heines ſuld joyne in mariage;
“ the maiſt part of hir nobilitie, be way of
“ adviſe, hes humbly prayit hir Majeſtie, and thocht

" better, that ſhe ſuld ſa far humble hirſelf, as to " accept ane of hir awin borne ſubjectis on that " ſtate and place, that were accuſtomat with the " maneris, lawis, and conſuetude of this countré, " rather nor ony foreyne prince: and hir Majeſtie, " preferrand thair advyſe and prayers, with the " weilfair of hir realme, to the avancement and promotioun, quilk hir Hienes in particular mycht " have be foreyne mariage, hes in that point likewiſe inclynit to the ſute of hir ſaid nobilitie.

" And thay namand the ſaid noble Prince, now " Duke of Orknay, for the ſpecial perſonaige; hir " Majeſtie, well avyſit, hes allowit thair motioun " and nominatioun, and graciouſlie accordit thairunto (1); having recent memorie of the notable " and worthie actis, and gude ſervice, done and " performit be him to hir Majeſtie, alſwell ſen hir " returning and arrivall in this realme, as of befoir " in hir Hienes's minoritie, and during the time of " governament of umquhile hir deareſt moder of " gude memorie, in the furthſetting of hir Majeſtie's auctoritie aganis all impugnaris and ganeſtanderis thairof; quhais magnanimitie, courage, " and conſtant trewth towert hir Majeſtie, in preſervatioun of hir awin perſoun from mony evident " and greit dangeris, and in conducting of heich " and profitable purpoſes, tending to hir Hienes's " avancement, and eſtabliſſing of this countrie to " hir perfite and univerſal obedience, hes ſa far " movit hir, and procurit

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(1) Here is a continual alluſion to the bond of April the 19th—20th, recommending Bothwell as a huſband to Mary. She "hes bene preiſſit and "humbly requirit to zeild unto ſum mariage." This ſhe is ſaid to have been "weying, and taking "in gude part;" in alluſion to the remiſſion, which ſhe ſigned the very day of the date of this contract, to all the ſubſcribers of the bond *. In this bond "the maiſt part of hir nobilitie, be way of adviſe, "hes humbly prayit hir Majeſtie, and thocht better; that ſhe ſuld ſa far humble hirſelf, as to accept ane of hir awin born ſubjectis." So the bond itſelf ſays, that in caſe her Majeſty would condeſcend "ſo farr to humble her ſelff, as preferring ane of her native-born ſubjectis unto all forrane princis, to take to huſband the ſaid Erle; "wee," &c. †. And they are ſaid at laſt to have named Bothwell. Yet the ſpurious contract has omitted all this, and ſpeaks only thus; "ſéing "quhat incommoditie may cum to this realme, in "cace hir Majeſtie ſuld joyne in mariage with ony "forane prince of ane ſtrange natioun, hir Heichnes hes thocht rather better to zeild unto ane of "hir awin ſubjectis." The author thus refrains ſtudiouſly from all notice of the bond.

"It is obſervable," ſays Dr. Robertſon, "that "amidſt all the altercations and mutual reproaches, "of the *two* parties which aroſe in the kingdom; "this unworthy tranſaction," of ſigning the bond, "is *ſeldom* mentioned. Conſcious on *both* ſides,

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* Anderſon, i. 111.

† Ibid. 110.

" that in this particular their conduct could ill " bear examination, and would redound little to " their fame; they *always* touch upon it *unwillingly*, and *ſeem deſirous*, that it ſhould *remain in darkneſs* or *be buried in oblivion* *." But is the fact as here repreſented? Is the bond " ſeldom mentioned" afterwards, by *either* party? And does *the Queen and the Queen's party*, in particular, " ſeem deſirous that it ſhould remain in darkneſs, " or be buried in oblivion?"

The rebels mention the bond in their journal, with this explicit language concerning it: " the " ſame nycht the lordis paſt the band efter ſupper " to the Erle Bothwell, being drawin ſecretlie be " him to the ſupper †." The rebels re-mention it at the York conference, in this very particular manner. They " ſhewed unto us," ſay the Engliſh commiſſioners, " a copie of a bond bearing date the " 19th of Aprill 1567; to the which the moſt part " of the lords and counſaillors of Scotland have " put to their hands, and, as they ſaye, more for " feare, than any lyking they had of the ſame. " Which band conteyned two ſpecial points, the " one a declaration of Bothwell's purgation of the " murder of the Lord Darnley; and the other a " generall conſent to his marriage with the Quene, " ſo far forthe as the lawe and her own likinge " ſhoulde allowe. And yet, in proufe that they " did it not willinglie, they procured a warrant, " which was now ſhewed unto us; bearing date

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* i. 415.

† Appendix, N° x.

" the 19th of Aprill, ſigned with the Quene's hand, " whereby ſhe gave them licence to agree to the " ſame: affirming that, before they had ſuch war- " rant, there was none of them that did or wolde " ſet to their hands, ſaving onlie the Earl of " Huntley.—It appeared alſo, that the ſelf-ſame " daye of the date of this band, being the 19th of " Aprill, the Earl of Huntley was reſtored by par- " liament; which parliament was the occaſion that " ſo many lords were there aſſembled: which, be- " ing all invited to a ſupper by Bothwell, were in- " duced after ſupper, more for feare than other- " wayes, to ſubſcribe to the ſaid bond, two hundred " harkebuſiers being in the court, and about the " chamber-door where they ſupped, which weare " all at Bothwell's devotione; which the ſaid lords " ſo much miſliked, that the next morning, by four " of the clocke, few or none of them weare left in " the towne, but departed without taking their " leave *." This is certainly a very circumſtantial account of the bond. It is dwelt upon again and again by the rebels. Yet the rebels, according to Dr. Robertſon, " always touch upon it unwillingly, " and ſeem deſirous, that it ſhould remain in dark- " neſs or be buried in oblivion."

But how do the Queen and her party act? They mention it as circumſtantially as the rebels. They mention it much oftener. And they even inſiſt upon it, as a peculiar argument in their favour. In the inſtructions to her commiſſioners for the

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* Appendix, N° v.

conference at York, ſhe herſelf ſpeaks of it thus: "gif thay alledge, that my marriage with the Erle of Bothwell will be ony preſumptioun aganis me, ze ſall anſwer; that I never condeſcendit thairto, unto the time *the greiteſt part of the nobilitie* had cleinſit him be ane aſſiſe, and the ſamin ratifyit in parliament, and *thay* had *gevin thair plain conſent unto him for my mariage*, and *ſollicited and perſwadit me thairto*, as *thair handwriting, quhilk was ſchawin to me, will teſtifie* [*]." In the inſtructions too, which were given to the ſame commiſſioners by the nobles of Mary's party, theſe equally dwell upon it in this manner: "in cais it be alledgit, that the marrying of the Erle Bothwel is ane greit ſuſpicioun of hir Hienes's knawledge, it is anſwerit; that befoir that ever that marriage was laid to hir Grace's charge, *the maiſt part of the nobilitie*, and PRINCIPALLIE of the uſurparis, ſic as the Erle Morton, Lord Sempil, Lord Lyndſay, and Mr. James Balfour, *gave thair conſent to the Erle Bothwel* [†]." And, in reply to Murray's accuſation at Weſtminſter, Mary's commiſſioners expatiate upon the bond in theſe terms. "Gif he," Bothwell, "was principal auctor of the murder," they ſay, "the ſame was never knawin nor manifeſtit to her Hienes: bot the contrare did weill appere to her Grace, be reſſoun the ſaid Erle of Boythwell being ſuſpectit, indytit, and ordorlie ſummounit be the lawis of that realme, was acquite be ane aſſyſe of his

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[*] Goodall, ii. 342.

[†] Ibid. 361.

"peiris; and the ſame ratifiet and confirmit be "auctoritie of parliament, be *the greiteſt part of* "*the nobilitie*, aſweill of the principallis, quhilk "now withdrawis thameſelfis ſenſyne from the "Quenis Majeſtie thair Sovereigne's obedience, as "utheris hir faythful ſubjectis: quhilkis alſo *con-*"*ſentit and ſolicitit our ſaid Sovereigne, to accompliſh* "*the ſaid marriage with him*, as the man maiſt fitt "in all the realme of Scotland; in ſo doing, pro-"miſing him ſervice, and her Hienes loyall obe-"dience: and *mony of thame ſelfis gaif their bandis* "*unto him*, to defend him aganis all thais, quha-"ſoever mycht challenge or perſew him thairefter "for the ſaid cryme; *as thair hande-writtings can* "*teſtifie* *." So frequently, and ſo circumſtantially, do the Queen and her party notice the bond! And they even notice it *additionally* and *repeatedly*, in the marriage-contract before us. Yet the Queen and her party, ſays Dr. Robertſon, "ſeldom men-"tion" it, "always touch upon it unwillingly," and "ſeem deſirous that it ſhould remain in dark-"neſs or be buried in oblivion."

Both her friends, and her enemies, notice it with a peculiar attention. Her enemies, we ſee, notice it twice, and once very circumſtantially. They could not notice it in their copy of the contract, as her friends do in the original. It was not ſigned till the 19th or 20th of April, and *their* contract is dated the 5th. But they dwell upon it particularly in their journal, and they dwell upon it more particularly at York. They were the perſons *principally*, who had ſubſcribed it. Yet they were the perſons, who now appeared to have ſubſcribed it, only with the infernal view of enſnaring Mary. They therefore mention it in the journal, with the lying excuſe, that they were drawn ſecretly to the ſupper by Bothwell. They therefore re-mention it at York, with another lye fabricated by themſelves, concerning the harquebuſiers; and with even a writing forged by themſelves, containing the Queen's licence; the one claſhing violently with the other, and both claſhing as violently with the lye of the journal before. They inſiſt upon the bond; in order by falſhoods, by forgeries, and by contradictions, to exculpate themſelves for ſigning it. Mary, and Mary's partiſans, ſtill more inſiſt upon the bond; in order to vindicate the propriety of the Queen's conduct, and to expoſe the villainy of her rebels, by repeated appeals to it. And Dr. Robertſon, I fear, knew theſe facts too well, to be deceived concerning the hiſtory; wanted only to cover the villainy from view; ſo threw out a reflection, which is oppoſed by evidence; and then founded on it an accuſation, which is contradicted by facts, and which meant only to ſcreen the rebels, by involving the royaliſts with them.

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* Goodall, ii. 163—164.

"hir favour and affectioun, that abuif the com-"moun and accuſtomat gude grace and benevo-"lence, quhilk princes uſis to beſtow on noble

"men,

" men, thair ſubjectis, weill deſerving, hir Majeſtie " wil be content to reſſave and tak to hir huſband " the ſaid noble Prince, for ſatisfactioun of the " hartis of hir nobilitie and people (1); and to the " effect, that hir Majeſtie may be the mair able to " governe and rewill hir realme in time to cum " during hir lyfetime, and that yſſue and ſucceſ- " ſioun, at Godis pleſſour, may be producit of hir " maiſt noble perſoun, quhilkis, being ſa deir and " tender to hir ſaid deareſt ſone, eſtir hir Majeſtie's " deceis, may befoir all utheris ſerve, ayd, and " comfort him.

" Quhairfore the ſaid excellent and michtie Prin- " ceſſe and Quene, and the ſaid noble and potent " Prince James Duke of Orknay, ſall, God willing, " ſolemnizat and compleit the band of matrimony, " ather of thame with uther, in face of haly kirk, " with all guidlie diligence.

" And als hir Majeſtie, in reſpect of the ſame " matrimony, and of the ſucceſſioun at Goddis " pleſour to be procreat betwix thame, and pro- " ducit of hir body, ſall in hir nixt parliament " grant a ratificatioun, with aviſe of hir thrie eſ- " tatis (quhilk hir Majeſtie ſall obtene), of the in- " feſtment maid be hir to the ſaid noble Prince, " than Erle Boithvile, and his airis maill to be " gottin of his body; quhilkis failzeing, to hir " Hienes and hir crown to return; of all and haill " the erldome, landis, and ilis of Orknay and lord- " ſhip of Zetland, with the holmis, ſkerreis, quy- " landis, outbrekkis, caſtellis, touris, fortalices, " manor-places, milnis, multuris, woddis, cunyng-

“ haris, fiſheingis, alſweill in freſhe watteris as ſalt, “ havynnis, portis, raidis, outſeittis, partis, pendi- “ clis, tenentis, tenendries, ſervice of fré tenentis, “ advocatioun, donatioun, and richt of patronage “ of kirkis, benefices, and chapellanries of the “ ſamyn, liand within the ſheriffdom of Orknay “ and fowdry of Zetland, reſpective, with the toll “ and cuſtumis within the ſaidis boundis, togidder “ with the offices of ſheriffſhip of Orknay and “ fowdry of Zetland,

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(1) All theſe amplifications of praiſe upon Earl Bothwell, ſo natural to a contract of marriage between a Queen and one of her ſubjects, are wilfully omitted by the *copy* of it. The whole is condenſed into theſe words; “ hir Majeſtie findis nane mair “ abill, nor indewit with better qualiteis, then the “ richt nobill and hir deir couſing, James Erle “ Bothwell, &c. of quhais thankfull and trew ſer- “ vice hir Heichnes, in all tymes bypaſt, hes hed “ large pruſe and infallibill experience.” And the intimation, that Bothwell's ſervices to her and to the Queen Dowager, together with the recommendation of him by the nobility, have ſo far procured her favour and regard for him, as to make her content to receive him for her huſband; is changed into ſomething very different. “ Séing not only “ the ſame gude mynd conſtantly perſevering in “ him,” ſhe is *made* to ſay, “ bot, with that, *ane* “ *inward affection and hartly luſe towardis hir Ma-* “ *jeſtie*;” ſhe takes him for her huſband.

" and office of juſticiarie within all the boundis als " weill of Orknay as Zetland; with all the privilegis, feis, liberteis, and dewteis perteining and " belanging thairto, and all thair pertinentis, erectit in ane haill and fré Dukry, to be callit the " Dukry of Orknay for evir: and, gif neid be, ſall " mak him new infeſtment thairupon in competent " and dew forme; quhilk hir Majeſtie promittis in " verbo principis.

" And in cais, as God forbid, thair beis na airis " maill procreat betwix hir Majeſtie and the ſaid " Prince, he obliſſis his utheris airis maill, to be " gottin of his body, to renounce the halding of " blanche ferme contenit in the ſaid infeſtment, " takand alwayes and reſſavand new infeſtment " of the ſaidis landis, erldome, lordſhip, ilis, toll, " cuſtumis, and offices above writtin, and all thair " pertinentis erectit in ane Dukry, as ſaid is; quhilk " name and titill it ſall alwayes retene, notwithſtanding the alteratioun of the halding; his ſaidis " airis maill, to be gottin of his body, payand " zerlie thairfoir to our ſaid Soverane Ladyis ſucceſſoris, or thair comptrollaris in thair name, the " ſoum of twa thouſand poundis money of this " realme, like as the ſamyn was ſett in the tyme of " the Kingis grace, hir gracious fader of maiſt " worthy memorie.

" Mairover, the ſaid noble and potent Prince " and Duke obliſſis him, that he ſall nawyſe diſpone " nor put away ony of his landis, heritaigis, poſſeſſiounis, and offices preſent, nor quhilkis he ſall " happin to obtene and conqueſs herefter during the

" mariage, fra the airis maill to be gottin betwix him " and hir Majeſtie; bot thay to ſucceid to the ſame, " als weill as to the ſaid Dukry of Orknay.

" Furthermair, it is concluded and accordit be " hir Majeſtie, that all ſignatours, lettres, and writ-" tingis, to be ſubſcrivit be hir Majeſtie in tyme " to cum, efter the completing and ſolemnizatioun " of the ſaid mariage, other of giftis, diſpoſitionis, " graces, privilegis, or utheris ſic thingis quhat-" ſumevir, ſal be alſua ſubſcrivit be the ſaid noble " Prince and Duke for his intereſſe, in ſigne and " takin of his conſent and aſſent thairto, as hir Ma-" jeſtie's huſband. Likeas it is alſua agreit and " accordit be the ſaid noble Prince and Duke, that " na ſignatours, lettres, or writtingis, other of giftis, " diſpoſitionis, graces, privilegis, or uther ſic thingis " concerning the affaires of the realme, ſall be ſub-" ſcrivit be him onlie, and without hir Majeſtie's " aviſe and ſubſcriptioun; and gif ony ſic thing " happin, the ſamyn to be of nane avale.

" And for obſerving, keping, and fulfilling of " the premiſſis, and every point and article thairof, " the ſaid noble and mychtie Princeſſe, and the ſaid " noble Prince and Duke, hes boundin and obliſſit " thame faithfullie to utheris; and ar content and " conſentis, that this preſent contract be actit and " regiſtrat in the buikis of counſell and ſeſſioun, ad " perpetuam rei memoriam: and for acting and " regiſtring heirof in the ſaid buikis, hir Majeſtie " ordanis hir advocattis, and the ſaid noble Prince " and Duke hes maid and conſtitute Maiſter Da-" vid Borthwick, Alexander Skene, his procu-

" ratoris conjunctlie and ſeveralie, promittand de
" rato.

" In witneſs of the quhilk thing, hir Majeſtie,
" and the ſaid noble Prince and Duke, hes ſub-
" ſcrivit this preſent contract with thair handis,
" day, zeir, and place foirſaidis: befoir thir wit-
" neſſis, ane maiſt Reverend Fader in God, Johne
" Archiebiſhop of Saint Andrewis, commendatar of
" Paiſly, &c.; George Erll of Huntlie, Lord Gor-
" doun and Badzenach, Chancellar of Scotland,
" &c.; David Erll of Crawfurd, Lord Lindſay, &c.;
" George Erll of Rothes, Lord Leſlie; Alexander,
" Biſhop of Galloway, commendatar of Inchaffray;
" Johnne, Biſhop of Roſs; Johnne Lord Fleming;
" Johnne Lord Hereis; William Maitland of
" Lethington younger, ſecretar to our Soverane
" Lady; Sir Johnne Bellenden of Auchnoule,
" Knight, Juſtice-clerk; and Mr. Robert Creych-
" ton of Eliok, Advocate to hir Hienes; with
" utheris divers.

" MARIE R.
" JAMES Duke of Orknay."

On the back,

" xiiii. *Maii*, 1567.

" *Comperit perſonalie the Quenis Majeſtie, and*
" *James Duke of Orknay, &c. and deſyrit this con-*
" *tract to be regiſtrat, &c. in preſens of the Clerk of*
" *Regiſter, &c. of quhais command I haif regiſtrat*
" *the ſamin.*

" *J. Scott.*"

SECTION

SECTION IV.

SUCH are the contracts of marriage, between Mary and Bothwell! Theſe are three in number. But two of them are only copies of the third. And theſe copies were made for the ſake of ſlandering Mary, by contracts *prior* in date to the original, formed *before* the divorce was made, and even *before* the ſuit was *begun* for a divorce.

Yet what is the meaning of a marriage-contract? It is to aſcertain the reſpective rights of the parties, and to draw the line of property and power exactly between them. Such is the original above. But the copies are not ſuch. They aſcertain no rights. They draw no line, either of power or of property. And as marriage-contracts, therefore, they are obviouſly abſurd.

They can be conſidered only as formal *engagements*, though they avow themſelves to be equally contracts with the original. Let us then conſider them as *engagements*. And let us ſee, whether they will be leſs abſurd.

The *firſt* of them can only be an engagement, upon *one* ſide. It binds not Bothwell to take Mary. It binds only Mary to take Bothwell. Was Bothwell then afraid that Mary would jilt him, and Mary *not* afraid that Bothwell would deſert her? In the letters ſhe is repreſented, as continually afraid of this. And yet *ſhe takes no written engage-*

ment from him. So contradictory are the letters and the firſt contract, concerning *Mary!* But Bothwell, it ſeems, *was* afraid. He therefore *obtains a written engagement from Mary*. And yet he is deſcribed in the letters as *not* afraid, as very cool in his returns of affection to Mary, and as even ſhrinking back from the open arms of Mary. So contradictory are the letters and the firſt contract, concerning *Bothwell!*

A written engagement, however, is pretended to be given by Mary. But why was it not *dated?* Could the date be *naturally* omitted? And, undated as this is, how comes the other to be called the *ſecond* by the rebels? Becauſe it was *originally* dated. It was dated in the end of April or beginning of May. This the hint of denied conſtraint, plainly points out to us. A reſolution was afterwards taken, to conſider it as much earlier; and to ſuperadd another to it, much larger and more formal, dated the 5th of April, and written in imitation of Lord Huntly's hand. The date was accordingly taken away. But the hint of conſtraint was unwarily left. And the new was ordered to rank, as ſecond to the old.

The firſt is ſtill exiſting in Mary's own original. It is apparently *not* written by Mary, as Murray pretended it was. It is apparently ſpurious, therefore. And the ſpuriouſneſs of this demonſtrates the other to be ſpurious alſo. They are both derived from the ſame hands. The other refers to this, as the ſecond to the firſt. And the other thus preſumes to give a date to this, when this has none in itſelf.

But, un-dated as the firſt is, what becomes of it when it is pretendedly written by Mary? It is given to Bothwell. It is his ſecurity for Mary's marriage of him. But what *need* is there of any ſecurity in the preſent caſe? Mary is forward enough of herſelf, not to need any bond upon her. Bothwell is backward enough, not to ſolicit or to receive any bond from her. So plainly do the letters contradict the contracts again. Even if there was any need of ſuch an engagement, of what *uſe* could it be? Bothwell could not mean to proſecute the Queen upon it; if ſhe ſhould jilt him. And, without ſuch a meaning, what end could the writing ſerve?

This however being given to Bothwell, as with Bothwell it was averred to be found; what ſlighteſt need could there poſſibly be for *another* engagement? Is not *one* ſufficient? Or will *two* bind, when one cannot?

Perhaps indeed Mary may *now* expect a counter-engagement from Bothwell, and the *ſecond* contract is to be of *this* nature. Yet it is not. The ſecond is a mutual engagement of both. Mary, already engaged by a contract ſubſcribed *and written* by herſelf, is now engaged again by a contract in Huntly's hand-writing, which is only ſubſcribed by her. And Bothwell now engages, not by a ſtipulation in his own hand-writing, like Mary, but only by a ſubſcription to this contract of Huntly's. Bothwell therefore obtains TWO ſecurities from Mary, when by the letters he wanted not *one*. And

Mary obtains only *one*, when by the letters ſhe ſhould have graſped at *two* or more.

But now perhaps, when the mutual engagement has been mutually ſigned, Mary's own engagement will be given up again by Bothwell. Yet it is not. It is ſtill left with Bothwell. And with Bothwell it is finally averred to be found.

Where then is the *ſecond* engagement lodged? This will certainly not be left with Bothwell. It is a *mutual* one. It will therefore be depoſited with my Lord Chancellor, who drew it up. So it certainly ſhould have been. Yet it was depoſited, as the eighth letter hints to us, in the *Queen's* hands. And, as the rebels themſelves inform us, it was actually left in *Bothwell's*, and actually found with the *firſt* in *Bothwell's* box of papers. So contradictory are the letters and the contracts again! But my Lord Chancellor thus drew up a formal engagement between Mary and Bothwell, and yet left it in the poſſeſſion of one of the parties. Mary thus had obtained at laſt, a perſonal engagement from Bothwell to marry her; and yet, in direct contradiction to the whole ſpirit and ſoul of the letters, permitted him to keep it himſelf. And Bothwell had thus gained a formal engagement from Mary, drawn up by the Lord Chancellor, and atteſted by him and another; and yet reſigned it up to the care of Mary herſelf.

Such a chain of abſurdities, is the hiſtory of theſe two contracts! Every diſtinct link is a diſtinct abſurdity. And the whole forms a new and wonderful proof, of their common forgery. But there is one abſurdity ſtill greater, and one proof ſtill ſtronger, behind.

When Mary ſigned the *real* contract with Bothwell, ſhe was juſt on the point of a marriage with him. The ſuit of divorce from his former wife, had been commenced by her, and had been begun by him. It had even been decided in both caſes, It had been decided in favour of the divorce. And Bothwell was at full liberty, to contract and to marry again. The divorce was pronounced on the 3d and 7th of May. She ſigned the real contract on the 14th. And ſhe was married on the 15th *. Here all is natural and proper. But, when ſhe is made to ſubſcribe the ſpurious contracts, we ſee this natural ſcene of things totally reverſed. Then my Lord Chancellor is employed to draw up, and even to write out, a contract; though the marriage is not to take place till ſome indefinite time afterwards, and though, as it hangs upon the eventual iſſue of a ſuit, it may not take place at all. And a Queen enters into a formal and ſolemn contract of marriage, under the ſanction and with the atteſtation of her Lord Chancellor, even while Bothwell *has yet a wife*; even when Bothwell has not yet *begun* a ſuit of divorce, againſt her; even when, if he had, neither the Queen nor he could be abſolutely *ſure* of the concluſion; and even when, if they could, no Queen would conſent, and no Lord

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* Robertſon, ii, 450—451; and Appendix, N° x.

Chancellor agree, to make a *formal* contract of marriage for her.

To repreſent them as doing ſo, therefore, is ſuch an extravagance of conceit, as cloſes the long train of abſurdities at once. Nothing can go beyond this. When the imagination is let fly into the wilds of invention, it naturally kindles with its own courſe, begins to look down with contempt upon the regions of nature and probability below, and

> Speciosa dehinc miracula promit,
> Antiphaten, Scyllamque, et cum Cyclope Charybdim.

And daring forgery almoſt always betrays itſelf to the judicious eye, by ſome monſtrous incredibilities of fiction.

Of this, Murray himſelf appears to have been fully ſenſible at the time. That a Queen ſhould engage in a ſolemn contract of marriage with a *married* man, and that a Lord Chancellor ſhould draw it up, write it out, and atteſt it; was ſomething ſo apparently miraculous, that he thought even the credulity of his aſſociates would revolt at it. He therefore made my Lord Chancellor to inſert, the Queen and Bothwell to ſubſcribe, and my Lord Chancellor himſelf to teſtify, a plain and poſitive LYE in the contract. He made them all concur in affirming under their hands, that the ſuit of divorce was ALREADY BEGUN; when it was not begun till many days afterward. He thus ventured boldly upon a groſs anachroniſm, in order to cover a glaring abſurdity. He thus expoſed his contract to a detection from hiſtory, to guard it againſt a detection from nature. And he actually left it expoſed to a detection from both.

But, before I cloſe, let me ſubjoin one remark reſulting from the whole. We have ſeen the letters contradicting each other. We have ſeen the ſonnets contradicting the letters. And we now ſee the letters contradicted by the contracts. The three grand elements of the forgery, are thus in a perpetual ſtate of hoſtility between themſelves; each laying open the falſhood of the other, and all uniting to prove the forgery of all.

CHAPTER THE FIFTH.

HAVING thus gone over the letters, the ſonnets, and the contracts, with an examining eye; and having pointed them out with the ſure finger of truth, I think, to the merited deriſion of mankind; I ſhall now cloſe the work, with an ample explanation of the murder of Darnly. This murder is the fixed pivot, upon which the contracts, the ſonnets, and the letters equally move. It is the grand centre of gravity, to all this vaſt ſyſtem of forgery. I propoſe, therefore, now I have made my tour of the ſyſtem, to dig down to its centre. I mean to lay open all the principles that produced, and to unfold all the circumſtances that attended, the murder. This has never been done yet. The publick has only a confuſed and indiſtinct idea, of that very ſingular incident. And I undertake to give it a clear one; becauſe the undertaking will terminate, I ſee, in a ſtill fuller, a ſtill ſtronger, and a ſtill more pointed vindication of Queen Mary.

SECTION I.

BUCHANAN publiſhed a train of CONFESSIONS concerning the murder, at the end of his Detection, ſonnets, letters, and contracts. But they are all ſpurious, the creation of a genius, that ſeems to have delighted itſelf in the boldneſs of its own falſhoods, and to have rioted in the luxury of its own forgeries. They thus form a very proper concluſion to the letters, the ſonnets, the contracts, and the Detection. And the whole work goes on from the beginning to the end, in one uniform and unvaried tone of fabricated calumny.

Servatur ad imum
Qualis ab incepto proceſſerit, et ſibi conſtat.

That this is the caſe with his confeſſions, may be eaſily ſhown. They are deſigned to be the ſame with thoſe, which were really or pretendedly made by ſome of Bothwell's followers, and were really or pretendedly exiſting upon record at the time. They are accordingly ſaid expreſsly, to have been made in the TOLBOOTH of Edinborough *, the building in which the parliament was held †, the privy council aſſembled ‡, and the lords of ſeſſion convened for the trial of civil or criminal cauſes §. In this ſtructure, Bothwell was tried for the murder of the King ‖. In this his followers were equally tried ¶.

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* Detection, 160 and 161, Anderſon. † Robertſon, ii. 321. ‡ Keith, 331. § Appendix, N° x. ‖ Anderſon, i. 52. ¶ Ibid. ii. 188.

In this, alſo, the rebel lords aſſembled for buſineſs *. And in this, therefore, would their previous examination of Bothwell's followers be made. Yet, the moment we compare Buchanan's with the originals, we detect the impoſition which he deſigns to practiſe upon us.

He expreſsly refers to the originals twice. At one time he cites them, for a circumſtance concerning Mary in the confeſſion of George Dalgleiſhe; "quhilk his confeſſioun," he ſays, "ZIT REMANIS "OF RECORD †." At another he appeals to them, for all the circumſtances in the execution of the murder. "The haill ordour of the doing thairof," he ſays "may be eſilie underſtand [underſtood] "by thair confeſſiounis, quhilk wer put to death "for it ‡." And yet this order, and that circumſtance, are not to be found in *his* depoſitions. I inſiſt not upon this, however, in order to ſhow a difference between his and the others. I am willing to excuſe where I can. I will therefore ſuppoſe, that *his* were calculated only to give the ſum and ſubſtance of the others. But the pen, which loved to ſport with facts, could not content itſelf with fidelity, even in reciting confeſſions. He has made many additions, which are merely of a harmleſs nature. He has made ſome, however, that are very different. His ſpirit could not long confine itſelf within the bounds of harmleſſneſs. The ſerpent may appear for a time, playing in wanton curls upon the ground. It will ſoon, however, riſe upon its ſpires, and ſhow its envenomed fang. And Buchanan returned to his natural exerciſe of fictitious ſlander.

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* Keith, 426.

† Detection, 9, Anderſon; and 240, Jebb.

‡ Ibid. 22, Anderſon; and 244, Jebb.

Archilochum proprio rabies armavit iambo.

He accordingly inſerts in one of the confeſſions, an intimation againſt Sir James Balfour, as if he had a ſhare in the murder, and was even "the principall "counſellar and devyſer" of it *. Yet there is not the moſt diſtant hint of a charge like this, in the originals †.

But this Leviathan of ſlander was not ſatisfied, with taking ſuch gentle paſtime in forgery. He muſt raiſe a tempeſt for his recreation. He muſt charge the QUEEN herſelf, with a participation in the murder. He muſt even aſſert the exiſtence of ſome papers, as ſeen by one of the culprits, and "acknawledgeing the Quenis mynd yairto ‡." And yet, all the while, the originals themſelves, even as given us by the rebels themſelves, preſumed not to breathe the ſlighteſt whiſper of murder, againſt her.

Nor let us wonder at this aſtoniſhing audacity in Buchanan. An audacity, even ſtill more aſtoniſhing, in *form* at leaſt, if not in *ſubſtance*, which he ſhows in the Detection itſelf; may make us to ſtare with leſs amazement at this. He there informs us, that the Queen and one of her bed-chamber women, let down an old and heavy lady by a ſtring, from the top of a high wall by night; that the ſtring broke, the old lady fell, but recovered herſelf, roſe, and executed her commiſſion; that ſhe forced into Bothwell's houſe, forced into his bed-chamber, tore him from the arms of his wife, and dragged him out of his bed; and that then ſhe carried this young warriour, half-aſleep, half-naked, over the high wall, into the Queen's bed-room. Such tales, ſo pregnant with abſurdity, did this man of great abilities ſuffer himſelf to relate! Yet "this "maner and circumſtances of the deid," he ſays "not onlie the maiſt parte of thame that than were "with the Quene, have confeſſit; bot alſo GEORGE "DAGLISCHE, BOTHWELLIS CHALMERLANE, A "LYTILL BEFOIR HE WAS EXECUTIT, PLANELY "DECLAIRIT THE SAME; QUHILK HIS CONFES"SIOUN ZIT REMANIS OF RECORD *." Such was the aſſurance of the wretch, as to refer in form to a record for a ſlander, when the record itſelf does not contain a ſingle ſyllable concerning it.

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* Detection, 159. Anderſon.

† Buchanan gives the intimation to John Hepburne; but, in John's confeſſion, even the name of Sir James is never mentioned or alluded to.

‡ Detection, 160. Anderſon.

But it was happy for the reputation of Mary, that he had ſuch aſſurance and ſuch abſurdity. His malignity acted with all the force, of a peſtilential blaſt upon his diſcretion. The daring calumniator ſunk into an impaſſioned idiot, before it. And he ſtands on the pillar of infamy at preſent, for his Detection, his ſonnets, and his depoſitions, the ſecond of all human forgers, and the firſt of all human

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* Detection, 9. Anderſon; 239—240, Jebb.

ſlanderers; but baffled in his forgeries, and defeated in his ſlanders, by his very rage for both.

SECTION II.

BUCHANAN's confeſſions, then, are all ſpurious. Nor are the original confeſſions genuine. They aſſume, indeed, all the forms of authenticity. But they are not authentick. They were preſented by the rebel commiſſioners at Weſtminſter, upon the famous 8th of December; when, as the journal of our own commiſſioners ſays, they "did produce "and ſhew three ſeveral wrytings in Engliſhe, ſub-"ſcribed and ſigned by Sir John Bellendyn, knight, "juſtice-clerk in Scotland *." And their copies are our originals at preſent; all the records of the court of juſticiary having been long loſt for this period, and all our knowledge of theſe confeſſions coming through the polluted medium of the rebels †. Of ſuch men we cannot be too ſuſpicious. We have ſeen them already polluted with the moſt infamous forgeries, that the wide hiſtory of human profligacy exhibits to our view. Nothing ſeems to have been too baſe for them to do. They had, I fear, a head to contrive, a heart to approve, and

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* Goodall, ii. 235.

† Anderſon, i. Pref. x.

a hand to execute, the worſt villainy that the worſt villains of any age have performed. Every paper therefore, that comes from them, and is of ſervice to them, for that reaſon cannot but be ſuſpected of forgery; and muſt ſubmit to a ſtrict examination, before it can be admitted. But we need not reſt upon ſuſpicions, in the preſent caſe. We can produce more ſubſtantial evidences.

It is incredible, that any men ſhould make ſuch confeſſions as theſe are, to the deſtruction of their own lives, without any apparent neceſſity for it; without the appearance of one witneſs produced againſt them, or of their being even confronted one with the other *. It is more incredible, even if they did make them, that different perſons, at different and even diſtant periods of time, in June, September, and December; ſhould uſe exactly the ſame words, and the ſame combinations of words, in their ſeveral narratives †. It is ſtill more incredible, that perſons meeting at midnight in the ſtreets, and juſt after the change of the moon, ſhould yet know one another at once; ſhould yet mark accurately the way, by which each of them went off; or, where they did not do this, ſhould yet diſtinguiſh the cloaks, which ſome of them had before their faces, and, what is ſtill more, ſhould even diſcern the ſlippers, which ſome of them wore

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* Goodall, i. 385. Goodall alſo urges the non-appearance of torture uſed to them. But he is wrong in the fact. Torture is expreſsly ſaid to have been uſed, in a letter near the time; Robertſon, ii. 435.

† Goodall, i. 386.

upon their feet *. Nature flings a thouſand varieties over incidents. Art is dull and uniform. And none, but the great Dramatick Repreſentative of lyars, would have thought of noticing the "Kendal "green" of his knaves, when "it was ſo dark that "he could not ſee his hand."

But there are alſo many contrarieties in the confeſſions, by which each counterpoiſes the other, and both are deſtroyed. I ſhall particularly dwell upon one ſet of them, becauſe it is one, becauſe it concerns one and the ſame incident, and it comes from one and the ſame perſon. William Powrie ſwears on the 23d of June, that he and Patrick Wilſon took "ane carriage of twa maills and ane tronk, "and ye uthir an leddirin mail, quilks wer lyand "in the ſaid nethir hall," the lower room of Bothwell's lodgings at Holyrood-houſe; "quilks the "deponar and the ſaid Pat put on and chargit "upon *twa horſes of my lordis*, THE ANE BEING "HIS SOWN [OWN] HORSE:" and yet, on the 3d of July, re-ſwears, "yat the carage of the tronk "and mail, contenit in his former depoſitioun, were "carryed by him and Pat Wilſone;" *not* upon *two* horſes of my lord's, and one of them his own, but "upon ANE gray horſs yat PERTAINED TO HERMAN, PAGE TO MY LORD, at TWA SUNDRY "TIMES †." But Powrie confirmed his account of the 23d of June, by *this* remembered incident; that, on their return back out of the yard at Black Friars to the gate, " THE TWA HORSS," which they had left there while they carried in the powder, " war away;" and they were obliged to go back to Holyrood-houſe, without them. And he corroborated his account of July the 3d, by *another* incident, of a contrary nature, and yet equally remembered; which was, " yat at the LAST horſe " cariage he bare up ane toome [empty] pulder " barrel, to the ſame place yai carriet the pulder, " and yat he wiſt not how, nor be quhome, the " ſame came in the Erle Bothweil's ludging in the " Abby *." Such groſs contradictions are there, in this one man's depoſitions. But there are ſtill more. In the former, when he came to the gate of the Black Friars, he and Wilſon were met by " the Erle Bothwell; ACUMPANIT with Robert " Ormeſtoun and Paris, called French Paris, and " utheris TWA quhilks *had cloakes about yair faces*." In the latter, " quhan the deponar and Pat Will" ſon come to the Frier Zet [gate] with the laſt " convoy, and laid the ſame down, Robert Orme-

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* Goodall, i. 396; and Anderſon, ii. 166, "quhilks had "cloakes about yare faces," and 172, "quhilkis had yare "cloaks, and mulis [ſlippers] upon yair feet."

† Anderſon, ii. 166 and 171. Of this Herman, page to Bothwell,

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Bothwell, we have mention again in a letter from Morton, &c. to Lenox, 1570. " For the paige," they ſay, " we under" ſtand his name for to be Herman, quha, as we haif gottin " knawlege, came furth of Scotland, and enterit in Ingland " at the Eiſt marche, diſagyſit in his apparell, paſſing on fute " in a blew coit, *a blew Scottis cape on his heid*, and *a fork on* " *his ſhulder*, as *the commoun cuſtume of the northern pepill is* to " gang." He " be appearance will tak his courſe to Den" mark," where his old maſter was at the time (Goodall, ii. 383).

* Anderſon, ii. 167, and 172.

" ſtoun come forth, and ſaid," &c.; and " at the " ſame time yat the deponar and Pat Wilſon laid " down the laſt cariage at the ſaid Frier Gait, the " E. Bothweill came unto yame utwith [without] " the Frier Zet; ACCUMPANYIT with THRE more, " quhilks *had yare cloaks*, and *mulis upon yair feet* *." And, to notice only one more contradiction, the firſt part of the *firſt* depoſition aſſerted him and Wilſon, to have taken " TWA MAILLS and ane " tronk" in one load, and " an leiddirin mail" in another; but in the ſucceeding parts the " twa " maills" are forgotten, " the ſaids twa charges" being ſhrunk into " the ſaid maill and tronk;" and yet, though the ſecond depoſition continues at firſt to ſpeak of " the tronk and maill," it ſoon changes its tone, and makes up for what it has taken away, by adding " ane toome pulder barrel" to the whole †. With ſuch a negligent induſtry, have theſe confeſſions been put together, that one man, ſpeaking at the diſtance only of ten days; ſpeaking of a general and a very memorable fact, which happened only four or five months before; and ſpeaking of circumſtances, which he muſt have remembered as well as he remembered his own preſence at the whole; violently and repeatedly gives himſelf the lye.

But infinite is the abſurdity, in the *general* air and complexion of the confeſſions. The men take up the trunk and the mails of powder, at Holyroodhouſe; load them upon two horſes at one time, or upon one at two times; and carry them away into the city and to Kirk-a-field, betwixt ten and eleven o'clock at night: when, by their own account, there are centinels at the palace, there is a gate to the city, and a porter to the gate; and the Queen is expected ſpeedily to return, from the city and Kirk-a-field to the palace, to the very place from which they are ſetting out, from the very point to which they are going, and by the very courſe in which they are moving betwixt both *. They even do more than this. They go up to the King's houſe, with their bags of powder; enter the portal, and enter the houſe, with them upon their backs, or under their arms; and advance with them into the Queen's bed-room there. They alſo take a large powder-barrel, and a tree "holit and howkit like an troch," to be put to the hole of the barrel; take both into the portal, and into the houſe; and endeavour to force the former, into the Queen's bed-room. They find it too large, therefore bear it back again, pour all the powder looſe upon the floor, and then carry back the bags in which it came †. And they do all this at a time, when the Queen is actually in the houſe; when ſhe, and the King, and ſome nobles, are actually in the King's bed-room overhead: when the King's attendants muſt be in the other apartments, or at the door; when the nobles muſt equally have ſervants attending upon them, and in or about the houſe; and when the Queen,

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* Anderſon. ii. 166, 171, 172.

† Ibid. ibid. ibid.

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* Anderſon, ii. 166, 171, 168, 181, and 185.

† Ibid. 166, 167, 180, 178, 181, and 186; and Goodall, ii. 244, "portell-duris."

of courſe, has a larger train than either with her, has men carrying torches to light her, and has Lady Reres ſitting for her ſome time on horſeback, not far from the door *. All this amounts to ſuch a collective evidence againſt the depoſitions, as, even if they came to us in the faireſt and moſt unqueſtionable manner, would deſtroy their credibility for ever; and, with the imbecillity which they derive from their origin, muſt cruſh their authority under it.

But we need not reſt our objections, even upon all theſe powerful reaſons together. We may carry the argument ſtill higher. We may point out a groſs anachroniſm in the dates of two of them. And then we may mount up the natural incredibility of the whole, into an abſolute impoſſibility.

I have formerly ſhown, that Powrie and Dalgleiſhe were not *ſeized* by the rebels, before the 17th or 18th of July. The evidence is a cotemporary letter, one of Throgmorton's diſpatches to Elizabeth. This embaſſadour, writing ſucceſſively from Edinborough on the 14th, 16th, and 18th of July, recites all the intelligence that he can procure, and all the news that he can collect, on each of theſe days reſpectively. And on the 18th he informs the Queen, that "the Earl of Bothwell's PORTER, "and one of his other SERVITORS OF HIS CHAMBER, "being apprehended, have confeſſed ſuch ſundry "circumſtances; as it appeareth evidently, that he

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* Anderſon, 181, and 167; Appendix, N° x.; and Detection, 77, Anderſon, 263, Jebb.

"the ſaid Earl was," &c.[*] Bothwell's porter was Powrie, and Bothwell's chamberlain was Dalgleiſhe; the former being expreſsly called "ſervitor and "porter to the ſaid Erle," in the depoſitions of Dalgleiſhe himſelf[†]; and Dalgleiſhe being equally called "ſervande in the chalmer to the Erle Bothwell," in his own depoſitions[‡]. Theſe were both ſeized together, and both on the 17th or 18th of July. Yet their depoſitions are dated, Powrie's on the 23d of June and the 3d of July, and Dalgleiſhe's on the 26th of June[||]. Here, therefore, the anticipation of time is very great. And it ſerves to convict the depoſitions of forgery, by a ſhort reference to chronology, at once.

But the depoſitions all terminate in this, that the powder, by which the King and his houſe were blown up, was laid looſe upon the floor of the Queen's chamber, the chamber immediately under the King's, and there ſet fire to. Bothwell told them, ſays John Hay the younger, "the pulder "mon be laid in the houſe under the Kingis chal"mer, quhair the Queene ſuld lye[§]." "Paris "the Frenchman," he adds, "was in the nedder "houſe, under the Kingis chalmer—; and yan yay "tuk all the polks, and carried yame within the "ſaid laich houſe, and temit [poured] yame on "the flour in an heip, and the polks weir taken "furth again[**]." And "the pulder being put in "polks," ſays John Hepburne, they "had in the

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[*] Robertſon, ii. 377. [†] Anderſon, ii. 174. [‡] Ibid, 173. [||] Ibid. 165, 171, and 173. [§] Ibid. 178. [**] Ibid. 181.

"pouder, and tuming [pouring] it furth of the "polks in ane bing and heip upon the flur, evin "directly under the Kingis bed; and yan—twa "houres after mydnight—fyrit *." Such is the main ſcope of all the depoſitions! Yet all this is abſolutely impoſſible to be true. Powder, ſo laid, *might* have blown up the King, the King's chamber, and the roof over it. But it could not have blown up the *lower* parts of the building, the *vaults* below, or the *foundation-ſtones* of the whole. Yet all theſe were equally affected, with the King's chamber. The whole houſe was blown up, from the top to the bottom, and from one ſide to the other. The very vaults were ſent into the air. And the very foundation-ſtones were either ſwept away or torn to pieces, by the exploſive force from beneath. In a letter written by Mary herſelf only the very day after the fact, it is thus deſcribed: "this night "paſt, being the 9th February, a little after twa "houris after midnight, THE HOUSE, quhairin the "King was logit, was in ane inſtant BLAWIN IN "THE AIR, he lyand ſleipand in his bed; with SIC "A VEHEMENCIE, that of THE HAILL LOGING, "WALLIS, AND OTHER, THARE IS NATHING RE-"MANIT, NA, NOT A STANE ABOVE ANOTHER; "BOT ALL OTHER [EITHER] CARRIET FAR AWAY, "OR DUNG IN DROSS, TO THE VERY GRUND-"STANE †." A proclamation alſo, which was publiſhed the very day after this letter was written, ſpeaks exactly the language of it; informing us, that "at twa houris efter midnycht THE HOUSE, "quhair umquhile the Kingis Grace was ludgeit, "was in ane inſtant BLAWIN UP IN THE AIR,— "with SIC A FORCE AND VEHEMENCIE; that of "THE HAILL LUDGEING, WALLES, AND UTHER, "THAIR IS NATHING LEFT UNRUINATED AND "DOUNG IN DROSSE, TO THE VERIE GROUND-"STANE *." Both ſhow the powder to have been lodged, below the foundations of the building. And the Queen accordingly ſubjoins: "it mon "be done be force of powder, and APPERIS TO "HAVE BEEN A MYNE †." This has all the energy of a demonſtration, againſt the confeſſions. It reduces the grand aſſertion within them, into a ſelf-evident falſhood.

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* Anderſon, ii. 186.

† Keith, Pref. viii.

But let us add two other accounts, of this amazing deed of miſchief. A few years afterwards, two of the actors in the work were ſucceſſively arraigned for it. The indictment of one of them ſtated, that he and his aſſociates "burned the houſe, and blew "it up in the air by the force of gunpowder; "which, for that purpoſe, they had recently con-"veyed INTO VAULTS, AND OTHER LOW AND "DARK PLACES UNDER GROUND." And the indictment of the other aſſerted, that, a little before the murder, "the powder had been put by "him and his accomplices, UNDER THE GROUND, "AND ANGULAR STANDS, and WITHIN THE "VAULTS, LOW AND DERN PARTS AND PLACES,

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* Anderſon, i. 36. † Keith, Pref. viii.

"OF THE LODGING *." Indeed ſo apparent was the fact, that even Buchanan himſelf did not dare to miſ-repreſent it, while it was yet freſh upon the memories of all; and that even he, in his Detection, aſſerts the murder to have been effected by a mine, though in his Hiſtory he recurs to the impoſſible tale of the confeſſions. Thus he informs us, "that the Kingis ludgeing was, EVEN FROM THE "VERRAY FOUNDATIOUN, BLAWIN UP IN THE "AIR †." He alſo ſpeaks of "the noyes [noiſe] of "THE UNDERMYNERIS wirking ‡." And he affirms, that they had "UNDERMYNIT THE WALL, and "FILLIT THE HOILIS WITH GUNE-POWDER ‖."

The

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[*] Goodall, i. 146—147, who firſt ſuggeſted the argument. Theſe trials have been very recently publiſhed by Mr. Arnot, in his Criminal Trials of Scotland, 1785. One indictment, p. 390, runs thus in the Scotch; that he burned the King's "haill lodgeing forſaid, and raiſed the ſamen in the aire be "force of gunpoulder, qlke a lytle afore was placit and imput "be him and his forſaids under the grund, and angular ſtands, "and within the voltis, laich and derne pairts and places, "y^{r}of." The other is in p. 9.

[†] Detection, 23, Anderſon, 244, Jebb.

[‡] Ibid. 72, Anderſon, 262, Jebb.

[‖] Ibid. 70, Anderſon, 261, Jebb.—It is alſo ſaid in Knox, 404, that "the nynth of February the King was murthered, "and the hous quhare he lay *burned with powder.*"

A new confeſſion is publiſhed by Mr. Arnot, that of John Ormiſton, lord of Ormiſton (383—388). At the trial alſo of one of the murderers in 1586, the King's advocate exhibited a confeſſion "by the late James Ormeſtoune of that ilk" (Arnot, 16). But theſe and all the others prove themſelves to be forgeries, by a circumſtance common to them all. Some of the rebels I ſhall ſhow hereafter, to have been perſonally concerned in the murder. Yet, becauſe they *were* rebels, employed by

The depoſitions then appear demonſtrably falſe, even in the great and main point of all. They appear

the uſurpers, and acting with a view to the uſurpation; *all theſe confeſſions unite*, in CAREFULLY SUPPRESSING THEIR NAMES. Theſe all pretend to be made by the friends and retainers of Bothwell. Yet their makers ſuppreſs *every* name but THEIR OWN. Bothwell and his confederates are ſtudiouſly particularized. But all their *rebel* aſſociates are even more ſtudiouſly omitted. Even Gairner and Binning, Archibald Douglas, and the Earl of Morton himſelf; who were all upon the ground at the time, were all engaged in the work, and one of whom, particularly, was afterwards ſworn againſt by ſome of the very ACTORS in the work, as I ſhall ſhow hereafter; all, all are wilfully omitted in the depoſitions. This is a full evidence of itſelf, that the depoſitions have been eſſentially falſified, or, in other words, that they are impudent forgeries. The admiſſion of a ſingle falſification within them, corrupts and taints the whole. And, when one of the *rebel* murderers came to be tried for the murder in 1586, he even alledged the confeſſions of James Ormeſton, John Hay, and Paris, as *proofs of his innocence*; becauſe they "deſcribed *the whole cir-"cumſtances of the murder committed*—, without *making any men-"tion of him*" (Arnot, 17).

I wiſh, however, to make another remark upon the confeſſions of Ormeſton. Theſe are only ONE, though they appear as two above. The *John* and the *James* Ormeſton of each are actually one perſon, divided into two by a blunder of the pen or the preſs. On December the 8th, 1567, the rebels exhibited in London "the judgment and condemnation by par-"liament, of the Erle Bothwell, JAMES Ormeſton, Robert "Ormeſton," &c. "as guilty—for the murder of the King" (Goodall, ii. 236). In Bellenden's confeſſions alſo, we ſee the ſecond of theſe perſons carrying uniformly the appellation of *James*. Thus Powrie depoſes, that "the Erle Boithwell, ac-"cumpanyt with JAMES Ormeſtoune *of that ilk*, Hob Ormeſ-"toune his fader bruther," &c. was the doer of the murder (Anderſon, ii. 165). This *James* is repeatedly called by Powrie appear ſo, even by the teſtimony of Buchanan himſelf. They were moſt probably, therefore, fabricated immediately by the rebels in England, and not taken from any fabricated originals in Scotland.

Sir

Powrie "the lard of Ormeſtoune" (166), "laird of Ormeſ-"toune" (167), and "the laird of Ormiſtoun *of yat ilk*" (171—172). So John Hay ſpeaks of "JAMES Ormiſtoun *of* "*yat ilk*" (178), whom he again and again calls "the ſaid "laird of Ormiſton" afterwards (179, 180, &c.). John Hepburne alſo mentions "JAMES Ormiſton *of that ilk*" (184), as "the ſaid lard of Ormeſton" (185). And Morton's and Douglas's indictments ſeverally unite in aſſerting, that both theſe men had been engaged in the murder, together "with James "ſome tyme Earle Bothwell, JAMES Ormiſtoun ſome time "of *that ilke*, Robert *alias* Hob Ormiſtoun, his father brother," &c. (Arnot, 9, and 389). The lord of Ormeſton, therefore, was undoubtedly called JAMES. Yet, to our ſurprize, we find him in Mr. Arnot's publication bearing the appellation of JOHN. This "confeſſion of the laird of Ormiſton" tells us at the very outſet, that "John Brand, miniſter at Hallyruid-houſe, "being ſend to JOHN Ormiſtoune,—to requyre THE SAID "LAIRD to gloriſie God in ſhawing of the trewth," &c. (Arnot, 383). Nor is this extraordinary miſ-nomer, to be attributed to the blundering hand of forgery. Nothing indeed, in the whole compaſs of nature, would more clearly convict a depoſition of forgery; than that either the taker was compleatly ignorant of the maker's name, or the maker did not know his own. But this is not the caſe at preſent. The confeſſion exhibited on Douglas's trial, was "one by the late "JAMES Ormeſtoune *of that ilk*" (Arnot, 16). This was the confeſſion of the lord of Ormeſton. It *then* reported his name as it really was. It equally reported the name truly, as late even as the days of Mr. Goodall. Monſ. Fenelon, he ſays from Carte, "acquaints us, that JAMES Ormiſton of Ormiſton "confeſſed," &c. "As to Ormiſton's confeſſion," he adds, "it

Sir John Bellenden indeed, whoſe atteſtation is annexed to them, was a man very capable of giving his atteſtation to a non-entity, I believe. We ſee him at that moſt impudent of all impudent acts of hypocriſy, the coronation of Mary's infant ſon on her pretended reſignation; ſtepping forward with the effrontery of a man, who had long ceaſed to bluſh, and with the ſolemnity of a wretch, who had been long hacknied in hypocriſy, to ratify the ſame "in the name of the Thré Eſtaittis:" though theſe eſtates had never authorized him to do ſo; though theſe could have *no exiſtence* enabling them to authorize him, till Mary ſummoned the individuals to unite into eſtates in parliament;

"it is to be ſeen in Sir Lewis Stewart's Collections; it is a "paper drawn up by John Brand—; he has indeed put the "names of all the perſons mentioned in Monſ. de Fenelon's "letter, into Ormiſton's dying ſpeech" (i. 391—392). And the tranſmutation of *James* into *John*, and the ſeeming creation of two confeſſions out of one, is merely a caſual miſtake in Mr. Arnot himſelf; the ſame kind of miſtake, which in another place, and concerning another *confeſſionary*, has reverſed the change, and converted a *John* into *James*, in the Chriſtian name of Hay of Talla (p. 9) *.

* Mr. Arnot's miſtake ariſes from this, I find. He publiſhes the confeſſion from Sir L. Stuart's Collections, as he ſays in p. 388. But the confeſſion in theſe collections runs thus, I underſtand: "John "Brand—being ſent "to *the Laird of Ormiſton* to," &c. Yet in the advocates library is another copy of this confeſſion, "ex manuſcriptis "Roberti Mylne ſcribæ;" which, by an interlineation over the words "the laird of Ormiſton," runs thus, JON, in Teviotdale, commonly "called Black Ormiſton from his iron colour." And Mr. Arnot appears to have formed this part of the confeſſion, by leaving out "the laird of" in the text, and by ſubſtituting "Jon" from the interlineation, in the room of the words.

and though, even then, they could have had no authority, to accept an involuntary ſurrender of the crown from her [*]. And he, who was ſo prompt to act in the moſt iniquitous meaſures with the rebels; and who particularly could preſume to act under a commiſſion, which was never given him, and which he had merely forged for himſelf; would have little heſitated, we may be ſure, to ſet his name to any impoſition, that would be of ſervice to the cauſe. Yet he never ſet his name to the confeſſions, I believe. At a time, when the fact was ſo well underſtood in Scotland, that even the Detection was obliged to retail the popular opinion, though the Hiſtory could venture, at a later period, to depart from it; confeſſions, directly oppoſing that opinion, would hardly be fabricated there. Nor was there any purpoſe, for which they ſhould. Such confeſſions, forged by the rebels; and lodged, either by conſent or by ſtealth, among the records of the juſticiary; could have anſwered no end to the rebels. If lodged by conſent, Bellenden muſt have been an active aſſociate in the deed of forgery. If by ſtealth, he muſt ſtill have ſeen the impoſition when the paper was produced; as he muſt have known no ſuch examinations, to have been ever taken in the juſticiary. Had they been, he muſt have been officially preſent at the time, as he was lord juſtice-clerk, the preſiding officer of the juſticiary [†]; and he muſt have known himſelf, not to have ſigned the paper. Either way, they would have convinced nobody if they had been produced in Scotland. Nor was it requiſite to lodge them in the juſticiary of Scotland, in order to produce them in England. And a much more compendious courſe was purſued.

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[*] Keith, 439.

[†] Anderſon, ii. 173, &c.

His good friends in England, during the interval between the conference at York, and the continuation of it at Weſtminſter; ſaw the neceſſity, as they fancied, of exhibiting to the Engliſh commiſſioners, ſome depoſitions made by ſome of the perſons executed in Scotland for the murder. They had none indeed, but what would have militated directly againſt them, have abſolved the Queen, and arraigned themſelves. This the dying confeſſions of the ſufferers, which I ſhall hereafter notice, deciſively ſhow us. To forge any in oppoſition to theſe, though it would be a crime without an advantage in Scotland, would yet be ſerviceable in England. There the real confeſſions could be little known at preſent. There forgeries, for that reaſon, might ſafely be ſubſtituted in their room. Theſe would alſo be ſupported in their credit, by the ſanction of authority from Elizabeth, that informing ſoul of the whole body politick in England,

> Mens agitans molem, et magno ſe corpore miſcens.

And the name of Bellenden, "the juſtice-clerk *in* "Scotland," might be uſefully appended to each, to give them an air of regular confeſſions made in Scotland at the time *.

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* Let it not be thought, that theſe depoſitions were certainly *not* fabricated in England, becauſe ſome of them were actually produced

In this manner, very plainly, were the depoſitions made. The records of juſticiary never ſaw them. And Bellenden knew no more of them, than Alexander Hay appears to have known of Paris's ſecond confeſſion; though his name is equally annexed to

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produced on the trial of Archibald Douglas in Scotland, A. D. 1586. The King's advocate, ſays the record of the trial, "produced three—depoſitions, one by the late James Ormeſtoun of that ilk, another *by the late John Hay of Talla*, "and a third by *the late Paris a Frenchman*" (Arnot's Criminal Trials, 16). The two laſt are the ſame, which were produced with others in London. The rebels exhibited on December 8, 1568, ſay our commiſſioners, three writings in Engliſh, "wherof the firſt conteyned two ſeveral examinations,— "the firſt *of John Haye the younger of Tallow*," &c. (Goodall, ii. 235—236). Accordingly, "the examinations and confeſſions "—*of John Hay younger of Talo*," &c. are now "in the Cotton "library, Calig. c. 1. f. 243. &c." (Anderſon, ii. Contents). But the two confeſſions of Paris were ſent up to London by Murray, in the October following (Goodall, ii. 88). The *firſt* is accordingly found in the Cotton library, Calig. b. ix. f. 370. (Goodall, i. 145). The *ſecond* is very ſingularly in the paper-office, as a publick paper; while "an authentick copy or exemplification, ſigned by Alexander Hay, then clerk of the "privy council," is lodged in the Cotton library (Anderſon, ii. Contents). But how then came they all to appear in Scotland, at the trial of Douglas? *They were borrowed from London for the purpoſe*. This is evident. They were ſent to London in 1568 and 1569. They were brought back to Scotland in 1586. Yet they remain in London at this day. They were allowed to travel into Scotland, for the buſineſs of this trial. They were calculated to ſerve the cauſe of the culprit. He had been one of the King's murderers. He had fled into England, on the ſeizure of Morton. Elizabeth, who proſecuted the murder ſo ſeverely upon the innocent Mary, patronized the murderer in Douglas. She refuſed to ſurrender him up, though James repeatedly ſolicited her to do it (Spotſwood, 347—348).

to the latter, as Bellenden's is to the former *. To borrow the name of a friend, in order to colour over an uſeful fraud; muſt have ſeemed only a ſmall crime in men, who could be guilty of the fraud itſelf. Where the heart is degraded enough, to think of performing the principal villainy; any corroborations of it by acceſſory tricks of impoſition, will appear only petty offences. And as Bellenden was kept probably in a profound ignorance of the depoſitions, to which his name was ſubſcribed; and as Hay certainly was, concerning the confeſſions to which his atteſtation was annexed; ſo did even Buchanan himſelf remain totally ignorant of the latter, for ever †. This gang of political *picaroons* was actually afraid of one another. They committed forgeries in concert. Yet they were ſtill afraid. They therefore committed forgeries apart by themſelves. Theſe they carefully concealed from each other's knowledge. And *we* now know at laſt, what the moſt intimate of

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She even lent theſe confeſſions, to aſſiſt him in his mockery of a trial. The King's advocate, who took care *not* to produce Morton's confeſſion againſt him, becauſe it would have proved him guilty, took equal care to produce theſe, becauſe they tended to prove him innocent. Theſe, the culprit ſaid, "ſo "far from criminating him, teſtified his innocence; for that "theſe deponents deſcribed the whole circumſtances of the "murther committed by themſelves and their accomplices, "without making any mention of him" (Arnot, 17). And, when they had ſerved their infamous purpoſe, they were remitted to London again. The whole plan of knavery was concerted by Randolph, Elizabeth's embaſſadour, the maſter of Gray and the advocate (Moyſe, 108).

* Tytler, 136.

† Ibid. 135.

Murray's ſubordinates in iniquity did not know at the time, the great liberty that he allowed himſelf, in uſing the names of his ſubordinates, whenever he wanted them; and the wide range that he gave himſelf, in the airy regions of forgery *.

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* Such alſo is the *firſt* confeſſion of Paris, in Goodall, i. 137—144. This is expreſsly referred to in the ſecond, "comme il eſt dit en ſa premiere depoſition" (Goodall, ii. 82). It was therefore, with the ſecond, a creation of Murray's. And it was accordingly uſed with it; being ſent up to London, together with the other, by Murray in October 1569 (Goodall, ii. 88), and being therefore lodged with an atteſted copy of the other at preſent, among the papers of Cecil in the Cotton library (Goodall, i. 145, and Anderſon, ii. Contents). Yet it has never been publiſhed in the original. We have only a tranſlation of it. But from this we ſee, that it was apparently written by Murray to flatter his own vanity, by the praiſes which he makes Paris very liberally, and in an hiſtorical view very abſurdly (Goodall, i. 145), beſtow upon him. It was therefore ſhown only to a few, who were not acute enough to ſee the deſign of it. It was particularly concealed from Buchanan, who knew no more of *this* than of the *ſecond* confeſſion. And indeed the firſt actually precludes the ſecond; as it is abſolutely impoſſible for Paris, when he related ſo much concerning Bothwell and the murder on the 9th, to have wholly abſtained from all intimations, concerning that intercourſe betwixt Bothwell and the Queen, and concerning thoſe circumſtances of the murder, which he relates ſo particularly on the 10th.

But there is another circumſtance in theſe confeſſions, which betrays the baſeneſs of origin in both. In the *firſt* of them Powrie, who was actually PORTER to Bothwell, is ſtrangely changed into his TAILOR. He is deſcribed in Bellenden's depoſitions, as "ſervitor and porter to Bothwell" (Anderſon, ii. 174). He is ſpoken of by Throgmorton, in a letter of July 18, 1567, as the "Earl Bothwell's *porter*" (Goodall, i. Pref. xvii. and Robertſon, ii. 377). He is even called, in one part of

SECTION III.

HAVING thus ſwept away the falſe accounts of the murder, let us proceed to the true. What we have already ſeen, will enable us to ſtate the true more fully.

When

Paris's ſecond confeſſion, " Powrie le *portier*" (Goodall, ii. 77). Yet " he" [Bothwell] " went forth," ſays the Paris of the firſt confeſſion, " taking with him the *tailor* and me" (Goodall, i. 143). This very extraordinary change in the deſignation of Powrie, Mr. Goodall was the firſt who obſerved. He obſerved it with ſurprize. " There is ſome ground for thinking," he ſays, " that theſe confeſſions," meaning only Paris's firſt, have " been tranſlated into French, after the ſame manner as the " letters to Bothwell: certain it is, that Powrie, the Earl's " porter, is in theſe confeſſions transformed into a taylor; and " how that ſhould have happened, but through a blunder in the " tranſlation, is not eaſily to be comprehended" (Goodall, i. 146). The remark is equally acute and juſt. Such a tranſlation had been made. Such a blunder had been committed. The ſame transformation appears, in the FRENCH of the SECOND confeſſion. In a paſſage of this, referring to the paſſage above in that, are theſe words: " Sieur de Boduell prend le TAILOR " et Paris avec lui, comme il eſt dit en ſa premiere depoſition" (Goodall, ii. 82). And the appearance of the ſame blunder in the *French* of the *ſecond* confeſſion, as well as in the *Engliſh* of the verſion of the *firſt* from the French, ſhows the French of both to have been merely a verſion in itſelf. In both the French and the Engliſh languages, the words *tailor* and *porter* are ſo diſtinct in their letters, that they could not poſſibly be confounded in thoſe dialects, by any blunder of the preſs. Yet they have been confounded by ſuch a blunder, in ſome language or other. They have therefore been confounded in one, which exhibits theſe appellations of buſineſs in a form, ſome-

what

When Mary received intelligence, on the 20th or 21ſt of January, 1567, concerning the King's illneſs, the King's repentance, and the King's deſire to ſee her at Glaſgow; ſhe reſolved to go to him immediately. But ſhe equally reſolved, to bring him with her to the neighbourhood of Edinborough, as ſoon as ever he could travel. She therefore took a litter with her, for his more eaſy and ſafe conveyance. And ſhe determined to lodge him at Craigmillar. But, finding the King not to

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what ſimilar to each other. And what language does this, that could have any connection with the confeſſions? The ſame proceſs of tranſmutation, no doubt, was purſued in the confeſſions as in the letters. The ſame cauſe would naturally produce the ſame effect. The ſame ignorance of French, would undoubtedly occaſion the ſame interpoſition of a Latin copy. The confeſſions, like the letters, would be drawn up originally in Engliſh, would be tranſlated into Latin, and would be retranſlated into French. In theſe ſucceſſive verſions of the letters, I have already ſhown the groſſeſt errours to have been made by the preſs. Thus the word *key* became *cera* in Latin by a miſ-print for *ſera*, and ſo became *cire* in French. Thus alſo *bylle* was diſfigured into *bybill* in Engliſh, and the abſurdity was continued in the Latin *biblia* and the French *bible*. And *boiſting* in Engliſh being rendered, by a typographical errour, *comitatus*, inſtead of *comminatus*; the French repeated the errour in its *ſuivi*. In this manner was a *key* transformed into *wax*, a *letter* into a *bible*, and a *threat* into *company*. In the ſame manner, no doubt, was alſo a *porter* miraculouſly metamorphoſed into a *tailor*. In the Engliſh of the confeſſions denominated a *porter*, he would naturally receive the appellation of *janitor* in Latin. But the preſs interpoſed with an unlucky blunder. *Janitor* was altered by it into *ſartor*. The falſe light of the Latin, was reflected back in the folly of the French. And the *porter* of the original, became the *tailor* of the copies.

like Craigmillar, ſhe agreed with him upon Kirk-a-field [*]; a houſe, at which Lord Borthwick had lately received, in a ſickneſs, conſiderable benefit from the air [†]. She accordingly ſent orders for the houſe to be hired and furniſhed. She was abſent in the whole nine or ten days, from Jan. 21ſt, when ſhe went away, to Jan. 30th, when ſhe returned. She was abſent from the receipt of the orders, probably, about five or ſix. And, in this period, muſt the mine have been dug by the conſpirators.

But who were they?—The Biſhop of Roſs ſhall tell us, in this lively detail of facts.

Mary, he ſays, uſed Murray's "adviſe and counſel in all her affairs, after her returne into Scotland, *ſo farre*, that ſhe had but, as it were, THE NAME AND CALLING, he BEARING THE VERY SWAY OF THE REGIMENT; by her intituled to, and honoured and adorned with, the Earldome of Murray; and at length, by one meanes or other, furniſhed with ſo greate and ample poſſeſſions, that, byſides other commodities and advantages, THE YEARELY RENT THEREOF PASSETH AND SURMOUNTETH THE SUMME OF TWENTY AND SIX THOUSAND POUNDES, after the rate of their money.

"Behold now the thankfulnes of this good and grateful nature! He laboured and endeavoured al that he poſſibly could, to WITHOLDE THE QUEENE'S MIND, AND STAY HER, FROM AL MANNER OF MARIAGE; and TO ENTAILE THE

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[*] Goodall, ii. 244.

[†] Jebb, ii. 214.

“ CROUNE OF THE REALM UNTO HIMSELF (though he were illegitimate, and uncapable therof), and to the NAME and the BLOOD of the Stewards. But when he ſaw and throughly perceaved, and wel knew, that the Queene was fully minded, and earneſtly bent, and had now determined, to joyne herſelfe in mariage with the Lorde Darley; HE PRACTISED MEANES, by HIS aſſiſtance and procurements, TO HAVE SLAYNE HIM AND HIS FATHER, AND TO HAVE IMPRISONED HIR at LOCHLEVEN, and TO HAVE USURPED THE GOVERNMENT HIMSELF, as he now doth.

“ But now when he ſaw this his intent and purpoſe diſcloſed and prevented, and that the ſolemnization of the mariage was already paſt; he SHEWED HIMSELF WITH HIS ADHERENTS IN OPEN FIELD, AND IN ARMES AGAINST THE QUEENE HIS MAISTRESSE. Whereupon he was driven to flee into England.—

“ Then beganne he to practiſe with THE EARLE MORTON, by his letters and meſſengers, about THE DETESTABLE SLAUGHTER of David, the Queene's ſecretarie; who, by THEIR miſchievous ſleights and craftie perſuaſions, induced the Lord Darley, promiſing him TO REMOVE THE QUENE from the meddling with al politike affaires, and actually to put him IN POSSESSION OF THE CROUNE, and of THE RULE AND GOVERNEMENT OF THE REALME, to joyne with them in this traiterous conſpiracie againſt the Queene, his moſt deare and loving wife, and moſte dreade ſoveregne. Whereupon the murther was in moſt

“ horrible and traiterous wiſe committed, in the “ Queene's own chamber of preſence, upon him, “ violently plucked from the Queene; ſhe alſo “ being cruelly menaced and ſore threatned; hav- “ ing alſo a charged piſtolet ſet to her belly, be- “ ing then greate with childe; and then removed “ from her privie chamber into another, where ſhe “ was kepte as a priſoner *.

“ The

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* Mr. Arnot's view of the rooms, in which this fact was committed, is curious. In the Duke of Hamilton's part of Holyrood-houſe, he ſays, and “ in the ſecond floor, are Queen “ Mary's apartments, in one of which her own bed ſtill re- “ mains. It is of crimſon damaſk, bordered with green ſilk “ taſſels and fringes, and is now almoſt in tatters. The cor- “ nice of the bed is of open figured work, in the preſent taſte; “ *but more light in the execution, than any modern one we have* “ *ſeen.* Cloſe to the *floor* of this room, *a piece of wainſcot,* “ about *a yard ſquare, hangs upon hinges,* and *opens a paſſage to* “ *a trap-ſtair,* which communicates with the apartments be- “ neath. *Through this paſſage* Lord Darnley, and the other “ conſpirators, ruſhed in to murder Riccio. The Queen was “ then ſupping with the Counteſs of Argyle, and Riccio in “ attendance, in *a cloſet of her bed-chamber,* about *twelve feet* “ *ſquare,* the preſent *north-weſt tower of the palace.* Riccio “ was puſhed out of the cloſet, dragged through the bed- “ chamber into the chamber of preſence, where, being pierced “ with redoubled wounds, he expired.”

Mr. Arnot refers to this account, ſent by Bedford and Randolph at the time to England. “ The King conveyeth him- “ ſelf, the Lord Ruthen, George Duglaſs, and two others, “ throwe his own chamber, by the privy ſtayers, up to the “ Queen's chamber; going *to* [it ſhould be *through*] which “ there is a cabinet, about xii foot ſquare,” the Queen's “ privie chamber,” as the Biſhop calls it above; “ in the ſame, “ a little low repoſing bed,” a ſettee, “ and a table.—David “ was thruſt out of the cabinet,” he was dragged, with the

King's

" The young, unexpert, and raſh Lord Darley, " who being blinded with outragious ambition, " could not forſee the diveliſh drifte of theſe craſtie " merchants, beganne now, but almoſt tó late, to " eſpie it; and SEEING HIMSELF AS NIGH THE " DANGER AS WAS HIS WIFE THE QUEENE, repair- " ed to her, moſte humbly aſking her pardon of " his heinous attempt, and pitifully crieing out to " her, to provide and finde out ſome preſent way to " preſerve themſelves both: who, by the Queene's " politike induſtrie, was privily with herſelf con-

King's dagger ſticking in his back (Keith, 331, and Melvill, 64), " throw the bed-chamber, into the chamber of preſence," what the Biſhop names " the Queene's own chamber of pre- " ſence," and there murdered (Robertſon, ii. 356). And Mr. Arnot adds in a note, that " towards the outward door of " this apartment," the chamber of preſence, " there are in the " floor large duſky ſpots, ſaid to have been occaſioned by " Riccio's blood ſtaining the floor; which waſhing of the " boards has not been able to take out." Hiſt. of Edinborough, 306.

This very room appears from Le Croc, in Keith, 346, to have been the council-room of the palace. It was therefore " the great hall" of Melvill, 80, " where the council uſeth " to ſit," and where Mary was married to Bothwell. It was alſo " the council-chamber" of Randolph, in Keith, 194, " where ſhe herſelf ordinarily ſitteth the moſt part of the time, " ſowing ſome work or other." And over it Bothwell is ſaid in Paris's ſecond confeſſion, to have had his own chamber, " au- " deſſus de la chambre-là, ou ſe tenoit le conſeil," Goodall, ii. 82; which is called " his High Chamber," in Paris's firſt confeſſion, Goodall, i. 144: while his men ſlept in the room below it, " ye nether hall of ye ſaid Erle Bothwell's ludgeing in " ye Abbay," Anderſon, ii. 165, &c. So diſtinguiſhed does this room appear, in the eventful hiſtory of Mary's life!

“veied away out of the rebelles danger; and BY HIM THIS WICKED DRIFT, AND THE DRIVERS AND CONTRIVERS THEREOF, WERE DISCOVERED TO THE QUEENE.

“But lo, the next day after this ſlaughter, the Earle Murray entred into Scotland, and repaired to the Queene with as faire a countenance, as though he had ben cleare, as wel for that fact as for al other treaſons; wherof the gentle and merciful Queene pardoned him, admitting him againe into her Grace's love and favour. Wherat the L. Darley, MUCH MISLIKING, and VEHEMENTLY REPINING, feared THAT HE WOULD BE, as he was indede, when he ſaw his time, REVENGED UPON HIM; bycauſe HE WAS OF HIM DETECTED TO THE QUEENE, for being ONE and the CHIEFE of the counſailers, aiders, and aſſiſters, in the conſpiracie about the murther of the ſecretarie, now committed.

“Theſe and the like imaginations ſo depely ſank into, and pearced, the yong man's harte; that he finally reſolved with himſelf, by one meanes or other, to RIDDE THE EARLE MURRAY OUT OF THE WAY. Where-about he went ſo farre forth, that HE COMMUNICATED HIS PURPOSE TO THE QUENE, who did moſt highly miſlike therewith, and moſt vehemently deterred him from the ſaid his intent. Yet did he break the matter farther, as to certain other noblemen, by whome at the laſt it was revealed to the Earle Murray. Wherfore the Earle DID, CONTINUALLY AFTER, BEARE HIM A DEADLY ENMITIE AND HATRED. Where-

" upon at length, *al other attempts failing him*, " this execrable murther was BY HIM THE SAID " EARLE MURRAY, and BY THE EARLE MURTON, " *firſt devyſed*; and afterward, in ſuch ſtrange and " heynous ſort as the worlde knoweth and deteſteth, " moſt horribly practiſed and put in execution *."

But that this account may not reſt upon the ſingle authority of the Biſhop, let us confirm it in its principal parts, by the formal atteſtation of ſome of the firſt perſonages in Scotland at the time. In the inſtructions, which were given by the nobles of Mary's party to Mary's commiſſioners, then ſetting off for the conference in England; is the very ſame account, and ſometimes nearly in the ſame words.

" It is to be diligentlie and advyſitlie rememberit and conſiderit," ſay ſeventeen peers under their hands, " how ſchortly efter our ſoverane's " hame-cuming fra the realme of France in Scotland, THE ERLE OF MURRAY, having reſpect " *then*, and, as appeiris, *zit*, be his proceidingis, " to *place himſelf in the government of this realme*, " and *to uſurp this kingdom*; be his counſal CAUSIT " THE QUENE'S MAJESTIE BECOME SWA SUBJECT " UNTO HIM, AS HIR GRACE HAD BENE ANE " PUPIL: in ſic ſort, that hir Hienes's ſubjectis had " *not acceſs unto hir Grace*, to propone thair awin " cauſis, or to reſſave anſwer thairof, bot *be him* " *onlie*; ſwa that he was onlie RECOGNOSCIT AS " PRINCE, and HIR MAJESTIE BUT A SHADOW.

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* Anderſon, i. 60—63.

"And quha preſſit to find fault with his abuſes, he did purſue thame *with ſic crueltie*, that ſum of the principal men," the Gordons, "he *cauſid put to deid* [death], deſtroying thair bairnis, houſis, and memorie; and *cauſit utheris*," Bothwell and Sutherland, "to be *baniſhit* the realme; and *put uther nobilmen*," the Archbiſhop of St. Andrew's, Lord Gordon, and Gavin Hamilton, Abbot of Kilwinning, "*in preſoun*, and detenit thame there.

"And having the principallis thus dejectit of thair places, he *proponit* to the Quene's majeſtie TO HAVE THE CROWN TAILZEIT [entailed], and HIMSELF TO HAVE THE FIRST PLACE; quhilk hir Grace plainlie refuſit, alledging ſcho wald not defraud the richteous heiris; and als feirit thairby *the wrecking of hirſelf*, and *ſecluding of hir Grace's ſucceſſioun*; in reſpect the deſyrer of the ſaid tailzie WALD NEVER CONSENT ONY WAY, that HIR MAJESTIE SOULD MARRY ONY SIC PRINCE as maid ſuit at hir Hienes thairfoir, cullouring the ſamin upon the alledging of mony inconvenientis, that micht follow upon the marriage of greit princes. Quhilk hir Majeſtie partlie conſiderit to be of truth: and ſwa by [beſide or againſt] the commoun inclinatioun of all princes and uther women, quhilk rather deſyris to aſcend nor deſcend, for retaining the realme at libertie, and to be thrallit to na utheris, was content to dedaigne [humble] hir Hienes to accept the Lord Darnly to hir huſband; thinkand, thairthrow, to obtene greiteſt favouris of all thame of that ſurname.

"Bot the contrair is knawin, and QUHAT IMPE-

“ DIMENT WAS MAID THAIRTO BE THE SAID DESYRER OF THE SAID TAILZIE; quha, be HIMSELF “ and his aſſiſtaris, CONSPIRIT THE SLAUCHTER OF “ THE SAID LORD DARNLY, being then appointit “ to be marryit with hir Grace, AND ALS OF HIS “ FATHER, and DIVERS UTHER NOBILMEN, being “ in hir Grace's cumpanie and followaris at that “ time; and ſwa TO HAVE IMPRISOUNIT HIR “ HIENES'S SELF in LOCHLEVIN, and detenit hir “ Grace there ALL THE DAYIS OF HIR LYFE; and “ he TO HAVE USURPIT THE GOVERNMENT. “ Quhilk conſpiracie was neir put to executioun “ in the moneth of June 1565, at the kirk of “ Baith; as mony quha wer in counſal with him, “ and drawin ignorantlie thairon, can teſtifie. And “ he, ſéing the ſamin revelit, DREW SINDRIE TO HIS “ OPINIOUN under colour of religioun; quha were “ baniſht with him, and tuik refuge in England.

“ And thairefter HE perſaving, that they COULD “ NOT STAY THE MARRIAGE, and als that it pleiſit “ God that HIR GRACE WAS ABILL TO HAVE SUCCESSIOUN, and ſwa being greit with child; THAY “ INVENTIT THE SLAUCHTER OF HIR MAJESTIE'S “ SECRETAR IN HIR HEINES'S PRESENCE, and “ cruellie PERFORMIT the ſamin, and held hir “ maiſt nobill perſoun IN PRISOUN; *intendand* be “ *that* way THE DEITH OF HIR MAJESTIE THROUGH “ HEICH DISPLESOUR, ſecluding of hir SUCCESSIOUN, “ and ALS OF HIR SAID HUSBAND, *be reſſoun* he “ was *ſeducit to conſent thairto*;” the very trick of perfidy, that was afterwards practiſed againſt Bothwell. “ Bot then ſéing that hir Grace, with the “pleſour of God, did eſcaip thair handis, and relieve hirſelf of priſoun, quhairthrow that the doaris thairof wer baniſhit for thair enterpryſe; and als heiring of the zoung behaviour, throw fulage counſal, of hir ſaid huſband: THAY CAUSIT MAK OFFERIS TO OUR SAID SOVERANE LADY, gif hir Grace wald give remiſſioun to thame that wer baniſhit at that time, TO FIND CAUSIS OF DIVORCE, outher for CONSANGUINITIE, in reſpect thay alledgit the diſpenſatioun was not publiſhit*, or elſe for ADULTERIE; or then TO GET HIM CONVICT OF TRESSOUN, becauſe he conſentit to hir Grace's retention in ward; or QUHAT UTHER WAYIS TO DESPECHE HIM: quhilk altogidder hir Grace refuſit, as is manifeſtlie knawin.

“Swa that it may be cleirly conſiderit, and is ane ſufficient preſumptioun in thir reſpectis, *hir Grace having the commoditie to find the meanis to be ſeparate*, and *zit wald not conſent thairto*; to appeir, that HIR GRACE WALD NEVER HAVE CONSENTIT TO HIS MURTHOUR, havand ſic uther likelie meanis to have bene maid quit of him, *be the lordis own device*; bot that it may be inferrit, that THAY WER THE DOARIS THAIROF ONLIE†.”

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* Buchanan hints at this, though he has the impudence to make it Mary's propoſal: “als mekle as thay wer, the ane to the uther, in ſic degree of conſanguinitie, as, be the Papis law, micht not mary togidder, ſpecially (quhilk was eſie for hir to do) the Bull being *conveyit away*, quhairby the ſame law was diſpenſit with” (Anderſon, ii. 13—14; and Jebb, i. 241).—He has only altered the form of the propoſal a little, by ſubſtituting *conveyit away* inſtead of *publiſhit*.

† Goodall, ii. 357—359.

Nor let the bigotry of prejudice againſt Mary delude itſelf, by refuſing to liſten to the united teſtimonies of the Biſhop, and of all the loyal peers in Scotland with him, merely becauſe they were loyal. What are the letters, what are the ſonnets, and what are the contracts; but papers produced by her *uſurping rebels* againſt her, produced to colour over their rebellion, and to lend a pretence to their uſurpation? Yet we need not reſt upon all this plenitude of evidence for her. The very ſame account is given us by an *Engliſhman*, by a *cotempary*, and by an author *employed under the patronage*, and *entruſted with the papers*, of CECIL himſelf. And the accounts preceding are thus corroborated by CAMDEN, in all their leading and capital circumſtances.

MURRAY, he ſays, who had taken arms becauſe of Mary's match with Darnly, "fled into "England: and there, being fruſtrate of all hope "of aid, HE dealt by letters with MORTON, a man "of a *deep* and *ſubtile* reach, who was *his inward "friend*, and as it were *his right hand*; that ſeeing "the marriage could not be annulled, yet at leaſt-"wiſe THE LOVE BETWIXT THEM AS MAN AND "WIFE MIGHT, by CLOSE CONTRIVANCES, BE DIS-"SOLVED. — MORTON, being a man *ſkilled* in "*kindling diſcontents*, inſinuateth himſelf into the "young King's mind, by ſoothing flatteries; and "perſwadeth him TO PUT ON THE CROWN OF "SCOTLAND, even againſt the Queen's will, and "to free himſelf from the command of a woman.— "By this counſell he *hoped*, not onely to *alienate* the

" *Queen*, but alſo the *nobility* and *commons*, quite
" from the King. And, to alienate the *Queen*,
" firſt he incenſeth the King by ſundry ſlanders,
" to the murther of David Rizo, a Piemontois;
" *leſt he, being a ſubtile fellow, might prevent their*
" *deſigns.*—Then, the *more* to alienate her, *he* per-
" ſwadeth the King to be *preſent himſelf at the*
" *murther.*"

Afterwards " the King, now conſidering the
" foulneſs of the late act, and ſeeing the Queen
" was very angry, repented him of his raſhneſs;
" humbly fled with tears and lamentations to her
" clemency; and, craving pardon for his fault,
" freely confeſſed, that, through the perſwaſion of
" MURRAY and MORTON, he had undertaken
" the fact. And from that time forward HE BARE
" SUCH HATRED to MURRAY (for Morton, Reu-
" ven, and the others were fled into England
" for the murther of David, WITH MURRAY'S LET-
" TERS OF COMMENDATION TO THE EARL OF
" BEDFORD); that he caſt in his mind to *make him*
" *away*. But whereas, through youthly heat, he
" could neither conceal his thoughts, nor durſt
" execute them (ſuch was his obſervance towards
" the Queen his wife); he told her, that it would
" be for the good of the commonwealth, and the
" ſecurity of the royal family, if MURRAY were
" made away. She, deteſting the matter, terrified
" him with threats from ſuch purpoſes; hoping
" again to reconcile them. But he, *ſtomaching*
" *the power which the baſtard had with the Queen*
" *his ſiſter*, through impatience communicated

" the ſame deſign to others. *When this came to* " *Murray's ears*, he, TO PREVENT THE SAME, un" der colour of duty contriveth *more ſecret* plots " *againſt the young King's life*; uſing MORTON'S " counſell, though he were abſent.

" THESE TWO, above all things, thought it beſt " utterly TO ALIENATE THE QUEEN'S MIND FROM " THE KING, their love being not yet well re" newed; and TO DRAW BOTHWELL INTO THEIR " SOCIETY, who was *lately* reconciled to Murray, " and was in great grace with the Queen; PUTTING " HIM IN HOPE OF DIVORCE FROM HIS WIFE, AND " MARRIAGE WITH THE QUEEN, AS SOON AS SHE " WAS A WIDOW. To the performance hereof, " and to defend him againſt all men, they bound " themſelves under their hands and ſeals; ſup" poſing that, if the matter ſucceeded, they could " with one and the ſame labour *make away the* " *King, weaken the Queen's reputation amongſt the* " *nobility and commons, tread down Bothwell*, and " *draw unto themſelves the whole managing of the* " *ſtate.*

" Bothwell, being a wicked-minded man, blinded " with ambition, and thereby deſperately bold to " attempt, ſoon laid hold on the hope propounded, " and lewdly committed the murther; whilſt MUR" RAY, ſcarce fifteen hours before, had withdrawn " himſelf farther off to his own houſe, *leſt he ſhould* " *come within ſuſpicion*; and that he might from " *thence*, if need were, *relieve the conſpiratours*, " and the whole ſuſpicion might light upon the " Queen. [A rumour was forthwith ſpread all over

" Britain, laying the fact and fault upon MORTON,
" MURRAY, and other confederates *: they, in-
" ſulting over the weak ſex of the Queen, lay it
" upon her.] No ſooner was HE returned to the
" court, but HE and THE CONSPIRATOURS com-
" mended Bothwell to the Queen for an huſband;
" as moſt worthy of her love, for the dignity of his
" houſe, for his notable ſervice againſt the Eng-
" liſh, and his ſingular fidelity.——

" Now THE CONFEDERATES whole care and la-
" bour was, that Bothwell might be acquitted of
" the murther of the King. A parliament, there-
" fore, is forthwith ſummoned for no other cauſe;
" and proclamations ſet forth, that ſuch as were
" ſuſpected of the murther ſhould be apprehended.
" And whereas Lenox, the murthered King's father,
" accuſed Bothwell to be the murtherer of the King,
" and inſtantly preſſed, that he might be brought to
" his trial before the aſſembly of the eſtates began;
" this alſo was granted. And Lenox was com-
" manded to appear within twenty days, to proſe-
" cute the matter againſt him. Upon which day
" —Bothwell was arraigned, and acquitted by ſen-
" tence of the judges, MORTON MANAGING HIS
" CAUSE.

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* Buchanan plainly hints at this, when he ſays, that " Hunt-
" ly and Bothwell—had befoir daylicht cauſit, be ſpeciall for-
" appointit meſſingeris, rumouris to be ſpred in Ingland, that
" the Erles of Murray and Mortoun wer doeris of that ſlauch-
" ter" (Detection, 20, Anderſon, ii. and 244, Jebb, 1).
And Crawford's Memoirs confirm both; ſaying, that men
" of the firſt rank in the nation firmly believed Murray and
" Mortone the authors," p. 13.

"This buſineſs being diſpatched, THE CONSPI-
"RATOURS *ſo wrought the matter*, that very many
"of the nobility aſſented to the marriage, ſetting
"their hands to a writing to that purpoſe; leſt he,
"being excluded from his promiſed marriage,
"ſhould accuſe them as contrivers of the whole
"fact. By means of this marriage with Bothwell,
"—the ſuſpicion grew ſtrong amongſt all men,
"that the Queen was privy to the murther of the
"King; WHICH SUSPICION THE CONSPIRATOURS
"INCREASED, BY SENDING LETTERS ALL ABOUT;
"and, in ſecret meetings at Dunkeld, they pre-
"ſently conſpired the depoſing of the Queen, and
"the deſtruction of Bothwell. Yet MURRAY, that
"he might ſeem to be clear from the whole con-
"ſpiracy, craved leave of the Queen to go into
"France. Scarce was he croſſed over out of
"England, when behold! THOSE which *had ac-*
"*quitted Bothwell from the guilt of the murther*,
"and *gave him their conſent under their hands to*
"*the marriage*, took arms againſt him, as if they
"would apprehend him; whenas indeed THEY
"GAVE HIM SECRET NOTICE, TO PROVIDE FOR
"HIMSELF BY FLIGHT: and this to no other
"purpoſe, but LEST HE, BEING APPREHENDED,
"SHOULD REVEAL THE WHOLE PLOT; and that
"*they might alledge his flight*, as an argument *to*
"*accuſe the Queen of the murther of the King.*
"Having next intercepted her, they uſed her in
"moſt diſgraceful and unworthy manner; and,
"cloathing her in a vile weed, thruſt her into pri-
"ſon at Loch-levin, under the cuſtody of MUR-

" RAY's mother; who, having been James the Fifth " his concubine, moſt malapertly aggravated the " calamity of the impriſoned Queen; boaſting that " ſhe was the lawful wife of James the Fifth, and " that her ſon MURRAY was his lawful iſſue *."

All theſe accounts unite together, to form ſuch a powerful body of evidence, as ſuperſedes the neceſſity of any other. Indeed, every thinking mind muſt be amazed on the review of it; that ſuch teſtimonies have not long ſince ſettled the reputation of Mary on a ſolid baſis, and rendered all further attempts to vindicate her ſuperfluous. But the Biſhop's Defence, as I ſhall ſhow hereafter †, was carefully ſuppreſſed by the tyranny of the Maſculine Queen. The writing ſubſcribed by the peers of Scotland, was locked up in the regiſter of Mary, and among the papers in the Cotton library. And as Camden's hiſtory of Elizabeth came not out, till near half a century had paſſed over the tranſactions, and till the ſlanders againſt Mary had made a deep impreſſion, upon the yielding faith of the nation; ſo it lay long ſequeſtered from the generality of readers, by being confined to its original Latin.

Murray and Morton, then, were the *firſt projectors* of the murder. They afterwards engaged Lethington, Bothwell, and others, in it. " Is it not " ful wel known, think ye," ſays the Biſhop of Roſs in another place to Murray, " that YE and

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* Camden, p. 88, and 91—94, of tranſlation; and 110, 113—117, of original, i. † Appendix, N° xii.

" the Earles BOTHWEL, MORTON, and others, aſ-" ſembled at the caſtle of Cragmiler, and other " places, at divers times, to conſult and deviſe " upon this miſchief? If neede were, we could " rehearſe and recompte to you the whole ſumme " and effect, of the oration made by *the moſt eloquent* " among you," LETHINGTON; " to ſtirre up, ex-" horte, and inflame *your faction then preſent*, to de-" termine and reſolve themſelves to diſpatche, and " make a hand with, the L. Darley *." And they at laſt proceeded, to form a written aſſociation expreſsly for the purpoſe. " We can tel you," ſays the Biſhop, " that there were INTERCHANGEABLE " INDENTURES MADE AND SUBSCRIBED BY YOU;

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* Anderſon, i. 76. So Paris's firſt confeſſion ſays, by the mouth of Bothwell, that they had intended to have murdered Darnly, " the laſt time—we were at Craigmillar" (Goodall, i. 140). Ormeſton's confeſſion ſays the ſame; affirming, that " the haill lords—concludit the ſamen in Craigmiller, all that " wes ther with the Quein;" that " the haill—concludit— " *he ſould be put off* be ane way or uther;" and that this concluſion was taken, " ane quartur of ane year before the deid " was done" (Arnot's Criminal Trials, 384 and 386). All explains the propoſal made to the Queen at Craigmillar, by Murray and Lethington *the projectors* of it, of *divorcing* her from the King, and of making her *quit* of him; in that proper and bloody ſignification of it, which Huntly and Argyle give it (Goodall, ii. 320), but which has been over-looked ſince, for want of obſerving this connection. Even Huntly, Argyle, and various other nobles of Scotland, declare under their hands in a paſſage cited immediately before; that the propoſal at Craigmillar was, either to divorce her from him, to get him convicted of treaſon, " or quhat utherwayis to deſpeche him." And Ormeſton ſays, that he was to " be put off *be ane way or* " *uther*."

"that he, which had the beſt opportunitie offered "to make him away, ſhould furthwith take it in "hande, and diſpatch him. We can tell you,— "that John Hepborn," at his execution, "did "openly ſay and teſtifie;—that—HE HIMSELFE HAD "SENE THE INDENTURES—we ſpake of *." And even Buchanan, with a view to this very confeſſion, in the apocryphal part of *his* has inſerted, no leſs than three alluſions to theſe indentures. That very John Hepburne is introduced ſaying, "Item, as "tuiching Schir James Balfoure, he ſaw not HIS "SUBSCRIPTIOUN; bot I warrant zow he was the "principall counſellar and devyſer †." The ſame man is alſo made to ſay thus: "Surely I thocht "that nicht that ye deid was done, that, althocht "knowledge ſuld bene gottin, na man durſt have ſaid "it was evill done, ſeing THE HAND-WRITTIS ‡." And Dalgleiſhe is ſaid to have aſked: "Gif I die "for this,—quhat ſal be done to thame, quha was "ye devyſeris, counſellaris, SUBSCRIVERIS, and "fortifieris, of it ‖."

Thus fortified by a number of ſubſcriptions, the plotters ſet to work at Kirk-a-field, upon their murderous project. In the five or ſix laſt days of the Queen's abſence, they dug their mine under the

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[*] Anderſon, i. 76. [†] Ibid. ii. 159. [‡] Ibid. 160.

[‖] Ibid. 162. See alſo Stuart, ii. 140. Paris's firſt confeſſion alſo ſpeaks of "the handwrits" of Morton and others (Goodall, i. 140). And Ormeſton ſpeaks of "ane contract" as read to him by Bothwell, in which "the haill nobilitie and "lords underſubſcryvand" bound themſelves to murder Darnly, and which was "ſubſcryvit be them all ane quartur of ane "year before the deid was was done" (Arnot, 385—386).

the houſe, and they charged it with powder. This could not poſſibly have been done, *after* the King came to lodge in the houſe. It could have been done only in the interval, between the hiring of the houſe and the taking poſſeſſion of it. Accordingly, the indictments againſt Morton and againſt Douglas reſpectively import, that they had each been conſpiring the death of the King, in the month of *January*, as well as February, 1567 *. And the Queen placed Darnly in the houſe at Kirk-a-field, on the 30th of January 1567 †.

Even then, nothing but the ſolitarineſs of the ſite could have befriended the conſpirators; the houſe having only one great building near it, that two uninhabited at the time, and ſome alms-houſes. The inhabitants of theſe, no doubt, muſt have heard the laborious work going on. They were therefore ſent for and examined, the afternoon of the murder. But what *would* be made out of their relations, when Morton, Bothwell, and Lethington were their examiners? Buchanan's account of their examinations, is probably true. "Ane few pure "folkis," he ſays, "*ye nixt dwelling nichbouris to* "*ye Kingis ludgeing*, being callit, nouther durſt tell "quhat they had *ſene* and *hard*; and gif thay twichit "ony thing neir the mater, outher yai wer with "feir put to ſilence, or diſpyſit as of na credite ‡."

But, in the name of common-ſenſe, why was not THE OWNER OF THE HOUSE ſent for? He had kept the keys of the whole in his own poſſeſſion, to the hour of the King's arrival; lending ſome of them in the mean time to the royal ſervants, for the introduction of furniture. Accordingly Thomas Nelſon, who was "ſervant of the chamber" to Darnly at the time, depoſes; that "the keyis of "the lugeing wes partlie ſtanding in the duris, and "partlie delivered to this deponar be the awner," at the King's arrival *. He muſt therefore have furniſhed the murderers with the keys, for their admiſſion into the houſe. He muſt have been privy to the whole contrivance, even while it was prepared for execution. And what gives a deciſiveneſs to the evidence, when he ſhowed what keys were in the doors, and delivered up the reſt to this ſervant of the King's chamber; he delivered "all except the *key of that door, quhilk paſſed through* "*the cellar and the town-wall*; QUHILK COULD NOT "BE HAD †." Hence Buchanan ſays, that, "quairas the uther keyis of that ludgeing wer in cuſtodye of the Kingis ſervandis, Paris, be ſenzeing "certane fond and ſclender cauſis, had in keiping "the keyis quhilk Bothwell kept back, of the "back-gate and THE POSTERNE ‡." It was only one that was kept back, as is evident above, that of the poſtern; this entrance being, according to Buchanan himſelf, "ane poſterne-dure in the towne-"wall, hard be the hous, quhairby thay micht eſilie "pas away into the feildis ‖." This was kept back,

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* Arnot, 9 and 389. † Appendix, N° x. ‡ Anderſon, ii. 82, and Jebb, i. 265.

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[*] Goodall, ii. 244.

[†] Ibid.

[‡] Anderſon, ii. 21, and Jebb, i. 244.

[‖] Ibid. 18 and 243.

no doubt; that they might enter ſrom the fields into the houſe, in order to ſet fire to the mine. Buchanan therefore adds in another place, that "thay thocht it not aneuch to have *ſet oppin* the "*poſterne in the wall*, to let in theiſis thairat,—bot "alſwa," &c. [*] The owner was plainly in the plot, by ſuffering ſuch a key to be withheld, and by not ſupplying its place with another key and another lock. And the owner is actually noticed in the confeſſion of James Ormeſton, one of the murderers, as being engaged in the conſpiracy with them, and even as having furniſhed them with keys [†].

But who was he? Thomas Nelſon ſpeaks of him, as "Robert Balfour, awner [‡]." He was moſt probably, therefore, a relation to Sir James Balfour [‖]. There were ſeveral brothers and couſins, I apprehend. In a forgery of Buchanan's, which has never been noticed, but is more glaringly detected than any other, becauſe it is the ſubſtitution of a falſe letter in the room of a genuine one; he has made Lord Lenox to mention "Mr. James "Balfour, and Gilbert Balfour his brother [§]." In the

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[*] Anderſon, ii. 69, and Jebb, i. 261.

[†] Arnot, 385.

[‡] Goodall, ii. 244.

[‖] For this reaſon it is, I ſuppoſe, that the King is ſaid to lie "in a lodging laitly bocht by Maiſter James Balfour, Clerk "Regiſter" (Knox, 404).

[*] Lenox's real Letter.	Buchanan's Forgery.
"Pleiſit zour Majeſtie, my "humill petitioun was onto "zour Hienes, and zett is, "that	"Pleiſit zour Majeſtie, *ſen* "*the reſſait of zour Heichnes* "*letter, I have ſtill luikit that* "*ſum*

the ſame ſtrain of forgery, he repreſents John Hay the younger as declaring in his confeſſion, that "he

"that it may pleiſs zow not onelie to apprehend, and put in ſure keipyng, the perſonis namitt in ye tickatts, quhilk anſwerit to zour Majeſtie's firſt and ſecond proclamationis; but als, with diligence, to aſſemble zour Majeſtie's hell nobilitie, and yan, be oppin proclamatioun, to admonyſhe and requyre the writtairs of ye ſaid tickatts to compeir, accordyng to the effect thairof; at quhilk tyme, gyf thay do not, zour Majeſtie may, be ye advyſe of zour ſaid nobilitie and conſell, releif and put to libertie ye perſonis in ye tickatts forſaid; and for ye namis of ye perſonis foirſaid, I merwell that ye ſamyn has bene keipit fra zour Majeſtie's aeirs, conſidering ye effect of ye ſaid tickatts, and ye names of ye perſonis is ſwa oppinlie taulkit of; that is to ſay, in ye firſt tickat ye Erle Bothwell, Maiſter James Balfour, Mr. David Chalmirs, and blak Johne Spenſs; and in ye ſecond tickatt, Synzour "Francis

"*ſum of the bludy murthereris ſuld have bene oppinly knawin or now; and ſeing thay ar not zit, I cannot find in my hart to conceill the mater ony langer, bot let zour Majeſtie underſtand the names of tham* quhome I greitly ſuſpect, that is to ſay, the Erle Bothwell, M. James Balfour, *and Gilbert Balfour, his brother*, M. David Chalmers, blak Maiſter Johne Spens, Seinziour Frances Baſtiane, *Charles* de Burdeaux, and Joſeph, David's brother. Quhilk perſounis I ſall maiſt inteirly and humblie beſeik zour Majeſtie, that according to my former petitioun unto zour Heichnes, it will pleis not only to apprehend and put in ſure keiping; but als with diligence to aſſembill zour Majeſtie's haill nobilitie and counſell, and then to tak *ſic* perfite ordour of the foirnamit perſonis, *that thay may be juſtly tryit*: as I dout not, bot *in ſa doing ye ſpirite of God ſall wirk in the ſaid mater, as the treuth ſall be knawin. Sa ſall zour Majeſtie do ane maiſt godlie and* "*honorabill* “he ſaw Schir James Balfoure put in his awin name, and his brotheris, unto my Lord Bothwellis remiſſioun [*].” And John Hepburne ſays in one of Bellenden’s confeſſions, that the evening of the murder “my Lord” Bothwell, and, as the rebel journal adds [†] (but falſely according to this confeſſion), Mary with him, “ſuppit in Maiſter Johne Balfour’s hous, quhare the Biſchop of Argyle made the banket [‡].” All theſe three, John, Gilbert, and Robert, I take to have been relations to Sir James; one of them certainly a brother, and the other two moſt probably couſins,

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“Francis Baſtiane, Johne de Bourdeouſs, and Joſeph, Davryis brother; quhilk perſonis, I aſſuyre zour Majeſtie, I, for my part, greitlie ſuſpect; and now, zour Majeſtie knawing yair namis, and being ye partie als weill, and mair nor I am, althocht I was ye father, I dout not bot zour Majeſtie will take ordour in ye mater, accordyng to the wecht of ye cauſe, quhilk I maiſt inteirlie and humillie beſeik. Sa committs zour Majeſtie to ye protectioun of Almychty God, xvii of March, 1566” (Anderſon, i. 47—48).

“*honorabill act for zourſelf*, being the partie as ze ar. *And ane greit ſatisfactioun it ſall be to all that belangis unto him yat is gane, quha was ſa deir unto zour Heichnes.* And now, not doutit bot zour Majeſtie will tak ordour in the mater, according to the wecht of the caus, quhilk I maiſt humblie beſeik; I commit zour Majeſtie to ye projectioun of ye Almichty God, *quha preſerve zow in helth, long lyfe, and maiſt happy reigne. Of Howſtoun, this* xvii of Marche” (Anderſon, ii. 111—112).

[*] Anderſon, ii. 161.

[†] Appendix, N° x.

[‡] Anderſon, ii. 184.—This is the houſe mentioned in Detection, 7, Anderſon, ii. and Jebb, i. 23.

to him. He was at that time in the higheſt intimacy with Bothwell. With him Bothwell left his counterpart of the "interchangeable indentures," for the murder of the King[*]. With him alſo Bothwell left the original bond of aſſociation, for his own marriage to the Queen. And with him, *therefore*, did the rebels pretend he had left the caſket of Mary's letters, &c. He engaged his couſin Robert, probably, in the murderous conſpiracy. He induced him to admit the leaders and their mining party, within the houſe. Accordingly, Sir James was early pointed at in thoſe clandeſtine papers, which were put up by *one of his own faction* in ſome publick parts of Edinborough; and which were intended, no doubt, by Morton and the others, to throw off all deteſtation of the deed from themſelves, and to fix it upon the ſhoulders of Bothwell and his retainers[†]. So early did theſe new friends of Bothwell ſhew their readineſs to brand him with the crimes, to which they had impelled his too ready ſpirit, and in which they had aſſiſted his too active hand. Sir

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[*] "Sir James Baford [Balfour], condemned of the ſlaughter of the King's father, hath been called into the realm by Lennox [the ſecond Lenox], without the privity of the King. And whereas the ſaid Sir James found *in a green velvet deſk, late the Earl of Bothwell's*, and ſaw, and had in his hands, THE PRINCIPAL BAND OF THE CONSPIRATORS IN THAT MURDER, and can beſt declare and witneſs who were authors and executors of the ſame," &c. (Robertſon, ii. 463.)

[†] The perſon who put them up was James Murray (Anderſon, i. 38), afterwards rewarded with the comptrollerſhip of the cuſtoms (Keith, 442).

James's brother, Gilbert, ſeems from Buchanan's letter and Buchanan's confeſſions above, to have been equally ſuſpected by the generality, and equally pointed at by the intimations of the other conſpirators. He appears to have actually been ſo, from a partial copy of one of thoſe clandeſtine papers, which has been preſerved by Cecil, and runs thus: "I, according to the proclamation, have "made inquiſition for the ſlaughter of the King, "and do find the Earl Bothwell, Mr. James "Beafour [Balfour] parſon of Fliſk, Mr. David "Chamber, and black Mr. John Spence, the "principal deviſers thereof; *and if this be not true,* "*ſpir* [enquire] *at Gilbert Beauſour* [Balfour]*."

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* Cabala, part, 1ſt, p. 126. Theſe *tickets*, as they are called in that language which is ſtill preſerved in the Weſt of England, are univerſally ſaid to have been affixed to the door of the tolbooth at Edinborough. Some undoubtedly were; as Lenox, in one of his letters to Mary, calls them expreſsly "ye "tickatts, that was affixit apoun the towbuith dure of Edinburgh" (Anderſon, i. 47. See alſo i. 38). But they were equally ſet up in other places. "Forſamekle as be ane licentious abuſe," ſays an act of parliament at the time, "enterit laitlie,—thair hes bene placardis, and billis, and "tickittis of defamatioun, ſet up under ſilence of nycht in *diverſe* publict places, *alswell within burgh as utherwyſs* "*within the realme,*" &c. (ibid. i. 126). In the famous bond for Bothwell's marriage to Mary, theſe are equally, as in Lenox's letter, confined to one place, but to a place *different from his.* Bothwell, it ſays, "being not onlie bruitit and "calumniat be placartes privilie affixit *in the public places of* "*the* KIRK *of Edinburgh*, and utherwayes, ſklanderit," &c. (ibid. i. 107—108). Spotſwood ſays there was "a placard "affixed *on the market-croſs*," and there were "libels and "placard

And "Robert Balfour" the "awner" of the houſe at Kirk-a-field, we ſee, was expreſsly mentioned by Nelſon, as witholding the key of the poſtern from him, and retaining it in his own hands to the laſt; and expreſsly accuſed in Ormeſton's confeſſion, of furniſhing the murderers with keys.

But there muſt have been a ſervant of the King's,

"placard affixed on the door of the ſenate-houſe" or tolbooth (200 and 201). And Blackwood, a cotemporary writer, ſays they were fixed up "aux carrefours de la ville" (Jebb, ii. 216). Theſe libels, therefore, were actually ſet up on the doors or corners of St. Giles's church, on the market-croſs, and at the croſſings of the ſtreets; as well as on the door of the tolbooth. Accordingly we are told in Crawford's Memoirs, 128, on a later occaſion, that it was "often poſted up upon the market-croſs, church-doors, and other conſpicuous parts of the city, that," &c. Spotſwood alſo tells us, that Bothwell, on his acquittal, "ſet up a paper in the moſt conſpicuous place of *the market*," challenging "any one to accuſe him;" and that "the next day *in the ſame place*, by another writing, anſwer was made," (201 and 202). And this accounts for the variation in the papers, as given us by Lenox, by Buchanan, and by Cecil; though all ſaid to have been paſted upon the tolbooth (Anderſon, i. 47—48, ii. 156, and Keith, 368).

Gilbert was peculiarly worthy, to be brother to Sir James. He had been intruſted with the caſtle of Kirkwall in Orkney, as Sir James had been with the caſtle of Edinborough. Both had been intruſted with them by Bothwell. And Gilbert, imitating Sir James's conduct, maintained Bothwell's own caſtle againſt him. On Bothwell's paſſage from Dunbar to the North, his "purpoſe was to have remained in the caſtle of Kirkwall," which muſt have belonged to Bothwell as Duke of Orkney;—"but *Gilbert Balfour would not receive him*" (Spotſwood, 213). Hiſtory perhaps, in all its wretched variety of characters, does not exhibit ſuch another pair of brothers as this, brothers equally in blood and in perfidiouſneſs.

equally in the plot againſt him. This was his cellarer. In the cellar had the mine been dug. "Thay keipit with thame ſelfis," ſays Buchanan, "the keyis of twa dures; the ane of the LAICHER "ROWME, quhair they had undermynit the wall, "and fillit the hoilis with gune-powder*." Many marks therefore of the digging, muſt have been apparent to him. A part of the powder had even been put, as the indictment againſt one of the actors imports, "within the vaults, low and "dern parts and places, of the lodging." He muſt accordingly have ſeen it there. But as the ſame indictment informs us, that the mine itſelf had been ſunk "under the ground, and angular "ſtands, of the building;" the whole houſe muſt have been propped previouſly to the ſinking, and have continued propped during all the period before the firing of it, by large beams of timber in the cellar. Accordingly Buchanan, who frequently gives us ſtrong ſprinklings of truth amidſt his maſs of fiction, ſpeaks of the houſe as "REVIN and ru-"inous;" and as one that "of itſelf wald haif "fallin downe, GIF IT HAD NOT BEEN BOTCHED UP "FOR YE TYME, to ſerve ye turne of yis nichtis "ſacrifice†." And the diggings, the powder, and the props, muſt all have ſpoke with the force of a flaſh of lightening, to the eyes and the underſtanding of the cellarer. He was, therefore, obliged to be let into the ſecret of the plot. So let, when Balfour the owner did not produce, and ſaid he could not find, the key of the poſtern in the cellar; "Bonkle "in the ſellar ſaid," as Thomas Nelſon informs us, "he ſuld clois it weill aneuch within *." Yet he never cloſed it, as the event ſhows. And becauſe "Bonkle had the key of the ſellar," as Nelſon equally informs us, and as his office required him to have; while Betoun and Paris, by virtue of *their* office, had the keys of the Queen's chamber above †; Buchanan with great propriety repreſents the murderers, as having equally the keys of the chamber, the cellar, and the poſtern, in their own poſſeſſion. "THAY thocht it not aneuch to have ſet "oppin the poſtern in the wall, to let in theifis "thairat—; bot alſwa THAY keipit with thame- "ſelfis the keyis of twa dures, the ane of the "laicher rowme quhair they had undermynit the "wall, and fillit the hoilis with gune-powder, and "the uther of the upper rowme ‡." And from the plain connection between this attempt upon the life of the King by powder, and that immediately preceding by poiſon, we are naturally led to ſuppoſe; that, as the King's cellarer was clearly concerned in the one, he was equally concerned in the other; that he was the man, by whom the poiſon was ſecretly adminiſtered to the King; and that he adminiſtered it to him, in ſome of the King's liquors under his care.

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* Anderſon, ii. 69—70, and Jebb, i. 261.

† Anderſon, 18, and 66, Jebb, 260, and 243.

In theſe clear evidences of an union between Balfour, the owner of the houſe, Bonkle, the cellarer of the King, and the band of murderers; it appears ſurprizing at firſt, that neither of thoſe two perſons was ever called before the privy council, to be examined concerning the fact. But the wonder ceaſes, the moment we reflect on the circumſtances. The principal perſons in the council, had been actually concerned in the murder. We have accordingly ſeen Buchanan's account, concerning the examination made by the council, of the poor people that lived in the adjoining almshouſes. Let us now ſee another, that he gives of the ſame incident, but more full and circumſtantial. "The day following at efternoone," he ſays, "—Bothwell, the principal doer of the vyle act, "with certane *uther that wer previe to the ſame*;" probably Morton, Lethington, Sir James Balfour clerk of the regiſter, Sir John Bellenden clerk of the juſticiary, and Sir William Murray comptroller of the houſhold*; "aſſemblit togidder with the "Erle of Argyle—: firſt, as thocht yai had bene "utterly ignorant of all yat ever was done, yai "begin to wonder at the—mater.—Then thay be-"gin to be buſie a lytill about yair inquyrie: they "ſend for ane few pure ſillie *wemen*, that dwelt "thairabout; quhilk pure ſauls ſtanding in dout, "quhidder it wes better for thame to tell or hald "yair peace, thocht [though] thay danetily temperit "yair ſpeich, zit *quhen they had blabbit out ſumthing* "*mair then ye judges lukit for*, thay wer diſmiſſit "again as fuillis, that had bot undiſcreitly ſpoken.

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* Goodall, ii. 244. † Ibid. 243. ‡ Anderſon, ii. 69, and Jebb, i. 261.

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* Anderſon, i. 38, 50; Keith, App. 113, 124, and 163; and Knox, 391.

"For thair teſtimoneis, *thocht* [though] *thay twichit* "*ſum folkis ſchrewitly*, zit thay wer ſic as thay might "eſilie ſet light by *.

After theſe was called Thomas Nelſon, the only ſurvivor of the ſervants then in the houſe †. "Amangis utheris thingis," he ſays himſelf, but he ought in honeſty to have told us what the "utheris "thingis" were; he "was enquired about the keyis "of the lugeing." The lords knew the murder to have been by a mine, as is plain from their proclamation of the next day but one, compared with the Queen's letter of the very next day. They ſhould therefore have enquired principally, concerning the key of that cellar, which muſt have been the ſeat of the mine, and the key of that poſtern, which muſt have been the private entrance into it. But do they? Let Nelſon himſelf tell. "This deponar ſchew, that Bonkle had the key of "the ſellar, and the Quenis ſervandis the keyis of "hir chalmer ‡." What connection could there poſſibly be, between a mine in the cellar and the bed-room of the Queen? None certainly. Yet he relates who had the keys of her bed-room; while he forgets to relate a much more material circumſtance, and to tell the council who had the key of the poſtern. He forgot it now, though he remembered it very well, nearly two years afterwards. Nor did the council remind him of his forgetfulneſs. They did not even ſend for Bonkle, who had been charged by him with having the key of the cellar, and who had taken care not to be in the houſe the night it was blown up *. And it is the leſs to be wondered at therefore, that they did not ſend for Balfour the owner of the houſe.

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* Anderſon, ii. 24, and Jebb, i. 245. † Ibid. ibid. and Goodall, ii. 245. ‡ Goodall, ii. 245.

"The laird of Tulybardin," who afterwards embarked deeply in the rebellion, and was brother to the James Murray, that in private papers charged Bothwell and others with the murder; "hearing" Nelſon's account of the keys, belonging to the Queen's bed-room and to the cellar, "ſaid, Hald "thair, hair is ane ground." He could not mean, as Dr. Robertſon inſinuates he did †, that here was any ground of accuſation againſt the Queen. Her ſervants muſt neceſſarily have the keys of her chamber. He was then ſitting alſo in her own council. Such an inſinuation there, would inſtantly have drawn down the vengeance of the law upon him. And he only meant to intimate, that, in the account of the key of the cellar, there was a ground of ſuſpicion againſt Bonkle. This there certainly was. This therefore, he intimated, ought to be purſued immediately, and before they proceeded any further. Nor did he ſay this, with a view of following the light given by Nelſon, and of calling Bonkle to a ſtrict examination. The factious character of the man, his factious connections, and the concluſion that he put to the whole, all forbid us to ſuppoſe it. He ſaid ſo, in order to ſtop the enquiry, under pretence of proſecuting it; to prevent any queſtions that might immediately

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* Goodall, ii. 245. † Diſſ. 17—18.

have enſued, concerning the key of the poſtern; to put off the preſent informer, under the ſhow of ſending for the other; and then to evade the examination of both for ever. "EFTER QUHILK WORDIS "SPOKEN," ſays Nelſon, "thay LEFT OFF, and "proceeded na farther IN THE INQUISITIOUN *." And, as Buchanan very uſefully adds, "ſa the en-"quyrie, for maneris ſaike, was continewit," was adjourned to another day; "bot INDEID SUPPRES-"SIT, for feir *leiſt*, gif *thay proceidit further*, the "SECREITIS OF THE COURT," of the combined murderers then in the court, "MICHT HAPPIN TO "BE DISCLOISIT †."

SECTION IV.

THE firſt effective ſtep towards the murder, then, was the formation of a mine under the houſe. This would be a work of ſome labour and ſome time. The houſe alſo muſt have been propped up, carefully and firmly, within. It would otherwiſe have come down, upon the heads of the miners.

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[*] Goodall, ii. 245.

[†] Anderſon, ii. 25, and Jebb, i. 245. So p. 82, "then was the inquyrie adjornit, and never "recontinewit" (Jebb, i. 265). And yet Dr. Robertſon endeavours to draw a charge againſt Mary, from this remiſſneſs of the *murderers* in inveſtigating their own murder, Diſſ. 17—18.

Flectere ſi nequeo ſuperos, ACHERONTA movebo.

But muſt not the introduction of beams of timber, large and ſtrong enough for the ſupport of two ſtories of rooms, have required too many hands, and have occaſioned too great a ſtir, not to be noticed? Or would the work of preparing the houſe for the King's reception, be uſed as a pretence to cover it; the latter going on in the day, and the former in the night; and both being made to appear to the only neighbours, the women in the adjoining alms-houſes, as parts of one plan? In all probability, the women ſaw and heard nothing of the beams of timber coming in. They were brought in by the poſtern. The men alſo, that introduced and fixed them up, went backwards and forwards through the poſtern. The women could there ſee nothing, of their operations and movements. The town-wall roſe high and broad before. And there was only the fields behind. Yet they could not but hear the noiſe, of ſome of the operations. The fixing of the timbers in the ground, the attaching of them to the beams, the noiſe of the pick-axes in digging, and the voices of the men in working, muſt neceſſarily have been heard in the ſtillneſs of the night, and could not but have attracted their attention. Yet all would naturally be referred, to that haſte of preparations for the King's arrival, which required the night to be added to the day. Nor would any idea ſo extravagant, as that of a plot for blowing up the houſe, have ever ſtarted into their heads. Afterwards indeed, when the fact had been done; and the confuſedneſs of amazement and terrour had a little ſubſided, at an exploſion ſo dreadful and ſo near; their memories would endeavour to trace with attention every circumſtance, that might ſeem to lead to a diſcovery. They had heard noiſes in the houſe by night. They had ſeen lights in the cellar. And they told, ſays Buchanan, all that they had "ſeen" and "heard."

In the mean time the Queen's workmen, who were there by day fitting up one bed for the King, and others for his immediate attendants *; ſaw nothing of the preparations making, to blow up the attendants and the King in the air. Theſe were all confined to the cellar. Into that they had no occaſion to go. Balfour, the owner of the houſe, kept the key. He was in the plot. He would, therefore, take particular care to keep it. Even, when he gave it up on the King's arrival, he gave it to Bonkle; who was equally in the plot, and would prevent any attempt of the other ſervants to enter the cellar. And the pretended loſs of the poſtern-key, and the pretended cloſure of the poſtern-door within, precluded all deſires in them, of paſſing through the cellar and the town-wall into the fields †.

Yet which of the conſpirators were peculiarly concerned, in this firſt act of the bloody tragedy? Bothwell certainly was not. He went with the Queen towards Glaſgow on the 21ſt, and did not return till the 23d at night. On his return, however, he lay not at his own lodgings in the palace, according to the rebels, but went into the city,

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* Goodall, ii. 244—245.

† Ibid. ibid.

and ſlept there *. They mean moſt probably, that he ſlept at Sir James Balfour's. Early the next morning he went to Kirk-a-field with Sir James, as they tell us; and, as we muſt ſuppoſe, to view the works going on, and feaſt his eyes with the ſcene, in which he was not yet to take an active part †. And that evening, in order probably to prepare a body of troops among the ſoldiery of the *marches*, then under his command; he ſet off for Lydiſdale, and did not return till the day before the King's arrival ‡. He had therefore no efficient part in the buſineſs, at preſent. The whole of the preſent operations, ſeems to have been managed by Morton, Murray, Lethington, and their adherents. Morton was undoubtedly engaged. In 1581 he was at laſt brought to that trial for the fact, which Murray eſcaped only by the ſtroke of aſſaſſination, and Lethington by the force of poiſon. But his indictment was drawn up in a very ſignificant manner. It did not merely import, that he was concerned in the immediate act of the murder. No! It ſtated equally, that he was engaged in the previous part of it. It charged that, "in the "moneths of Januarii and Febrii, in the yeir of "God 1566 yeiris," he had plotted with others to murder the King "within the burgh of Edⁿ,

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* Appendix, Nº x. † Ibid. ibid. and Goodall, ii. 77.

‡ Appendix, Nº x. So Murray went away "to his own "houſe" at St. Andrew's, juſt before the murder, ſays Camden; "leſt he ſhould come within ſuſpicion; and that *he* "*might from thence, if need were, relieve the conſpiratours*" (Camden, Tranſ. 92, Orig. i. 115).

" *pallice of Hallyruid-houſe*, and *uthers places ther-* " *about*;" that at laſt he murdered him at Kirk-a-field, by blowing up the houſe with gunpowder; and that " *the powder* had been a little before *placed* " and *put in* by HIM and his accomplices, under " the ground, and angular ſtands, and within the " vaults, low and dern parts and places, of the " lodging;" with which it was blown up. So preciſe an account had ſome of the King's miniſters then procured, of the ſeveral parts which the murderers had taken reſpectively in the work! The jury alſo, ſay Crawford's Memoirs, and the record of the trial, " being ripely adviſed with his " *inditement*, the TOKENS INFALLIBLE AND MOST " EVIDENT, with the probatiouns produced and " uſed for verifying thereof; DID ALL, WITH ONE " VOICE, find the ſaid Earl of Morton guilty, arte " and parte, in the foreknowledge, and concealing " the King's murder;" meaning by *arte and parte* (a phraſe ſtill uſed in the criminal law of Scotland), that he was proved a confederate and aſſociate in the murder. And David Moyſe, then an officer in the King's houſhold, informs us additionally in his Memoirs; that the jury found him guilty, " in reſpect of SUNDRY EVIDENCES in his *dittay* " [indictment] preſented to the aſſize [jury]; of " which ſome WERE SUBSCRIBED WITH HIS OWN " HAND," the interchangeable indentures for the murder of the King, produced by Sir James Balfour, who had been ſent for on purpoſe out of France; " and otherways *it* was atteſted by the " DEPOSITIONS OF SOME PERSONS, ACTORS of that "horrible fact *," Balfour himſelf, probably, and others. Morton, therefore, was engaged in the act of ſinking the mine and of charging it. Yet who were his accomplices? Murray, no doubt, was one. He generally indeed withdrew himſelf from the ſcene of action, when any violence was to be committed. He particularly withdrew himſelf from the murder. But he did not do ſo till the very day before. He was preſent during all the mining proceſs. And he would be made by the reſt, to take his ſhare in it. Lethington, and Sir James Balfour, ſeem to have been equally there. The former is made by Murray in one of Paris's confeſſions, to unite with Bothwell in recommending Kirk-a-field for the King's reſidence †. I have alſo with me in this ſcheme of the murder, Bothwell is made by Murray to ſay in Paris's other confeſſion, "Lethington; who is eſteemed one of "the beſt ingines or ſpirits of his country, who is "the enterpriſer of all this thing." And "both "Lyddington and the Lord Morton," ſays Mary herſelf, "were aſſentyng to the murder of her huſ-"band; *as it cowld well be proved* ‡." Lethington was engaged undoubtedly in the general act §. But Balfour is expreſsly declared by Murray, in Paris's ſecond confeſſion, "not to have ſlept all

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[*] Crawford, 373; Moyſe, 54; Robertſon, ii. 463; Arnot's Criminal Trials, 390 and 391; and Camden, Orig. i. 312, Tranſ. 258.

[†] Goodall, ii. 78.

[‡] Ibid. i. 140, and ii. 71.

[§] See his own confeſſion of his guilt to Morton, &c. in Goodall, i. 400, and Tytler, 246, from Banantyne's continuation of Knox's Hiſtory, in Calderwood's MS. Hiſtory.

" one night, in preparing the lodging, and putting " the whole in order *." He had been particularly employed, " in examining and determining, which would be the beſt way of acceſs into the houſe †." He is repreſented by one of Buchanan's confeſſions, to have been " the principall counſellar and *devy-* " *ſer*" of the murder. He appears to have had Bothwell's part of the indentures for the murder, in his own cuſtody. He was himſelf, ſays our Walſingham, " condemned of the ſlaughter of the " King's father." And he expreſsly required from Murray, on ſurrendering the caſtle of Edinborough to him, " a remiſſion for art and part of the King's murder ‡."

There were others, however, very deeply concerned in this black tranſaction. There were ſome, who have never been ſuſpected. And let me now drag them forth to the publick eye.

" The continuator of Hollinſhed (who ſeems to " have been *better acquainted than any of his cotem-* " *poraries, with the affairs of Scotland)* is of opi- " nion; that this confeſſion," the confeſſion concerning the murder, publiſhed as made by Morton before he went to the block, " is really an apology; "' *drawn up for the Earl* by ſuch of the preſbytery, "' as were preſent at his execution, and *favoured* "' him in *all* reſpects, *ſeeking to clear him of any*

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* Goodall, ii. 77—78. † Ibid. 81. ‡ Anderſon, ii. 159, Crawford, 50, and Robertſon, ii. 463. See alſo Moyſe, 48, for " Sir James Balfour, who was re- " turned to Scotland, and known to be culpable of the King's " murder."

"" *evil impoſed againſt him* *.'" Such was it, in the opinion of that cotemporary and knowing author, *even as he had it*. Yet he had it much fuller, than we have at preſent. He had it, with a ſpecification of the perſons concerned in the murder with Morton. And the confeſſion was then a *long* one, charging the *cauſe*, the *contrivance*, and the *execution*, upon the perſons ſpecified. "The ſame continuator, in the uncaſtrated edition of his hiſtory, "intimates that he had a *copy* of the ſame confeſſion; but that he omitted PART of it, OUT "OF TENDERNESS TO PEOPLE LIVING †." Even garbled as the confeſſion was by the preſbyterian miniſters, who attended Morton to the ſcaffold; and who, to ſhade over the villainy of that grand ſupporter of Proteſtantiſm and forgery againſt Mary, preſumed to make one forgery more; yet there was too much of the general villainy diſcloſed, for the continuator to publiſh what the Earl had confeſſed. "In his caſtrated edition he ſays, that "'Morton OPENED A LARGE DISCOURSE, laying "'the CAUSE, the CONTRIVING, and the EXECU"'TION of the murder, on GREAT PERSONS NOW "'LIVING ‡.'" Yet we have no ſuch thing, in our preſent copies of the confeſſion. Our beſt view of the confeſſion, indeed, is what is exhibited to us by this author. And he owns he kept this important part out of ſight. But, though he ſuppreſſed the part, he intimated in general the contents of it. Of theſe he ſpoke too plainly, it ſeems, for his own

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[*] Guthry's Scotch Hiſt. vi. 384. [†] Ibid. ibid.

[‡] Ibid. ibid. and Hollinſhed, ii. 429.

quiet. "The hint given by Hollinſhed's conti-"nuator concerning *living* perſons, *procured an* "*order* from *court*, for cancelling *that* leaf of this "work among others *." And

Let the gall'd jade wince, our withers are un-wrung.

There is ſomething in thoſe paſſages indeed, that may well "wring the withers" of the guilty. They notice a myſtery of iniquity, which has never been yet laid open. But let us follow the notice, and lay open the myſtery.

Why ſhould Francis Thynne, who continued Hollinſhed's hiſtory of Scotland from the year 1571 to 1586, be averſe to publiſh a part of Morton's confeſſion in ENGLAND; and actually ſuppreſs that very part in ENGLAND, which the preſbyterian miniſters had publiſhed before in Scotland? He ſuppreſſed it, "out of tenderneſs to peo-"ple living" in ENGLAND. *Some* of the perſons ſpecified by Morton, as equally concerned with himſelf in "the cauſe, the contriving, and the ex-"ecution of the murder;" were perſons equally then alive in ENGLAND. Nor could it be *merely* out of "tenderneſs" to them, that he ſuppreſſed what the miniſters had not ſuppreſſed. It was alſo out of apprehenſiveneſs for himſelf. For they were GREAT PERSONS. They were GREAT in ENGLAND. And to have SUCH perſons charged in ENGLAND, even by the dying words of Morton himſelf, with a ſhare and concern in the murder; was ſure to draw down vengeance, upon the head of the publiſher.

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* Guthry's Scotch Hiſt. vi. 385.

Yet who were theſe *great perſons* of *England*, that were ſo charged? Since the author has ſuppreſſed all this part of the confeſſion; and ſince we have no copy of the whole ſo perfect as his was, the miniſters ſoon *garbling* more their own garbled copy*; it may ſeem impoſſible to point them out. Yet it is not. "The galled jade" did "wince," and betrayed itſelf by the act. ELIZABETH and CECIL; who had interpoſed, probably, to have the copy more garbled; ſent a tyrannical mandate, for cancelling a leaf of the impreſſion. The author ſaid he had *omitted* a *part* of the confeſſion, "out of tenderneſs to people living." This they commanded to be expunged. And as ſuch a violent interpoſition of the crown for ſuch a ſlight cauſe, ſhews clearly the ſituation in which he would have been, if he had *not* ſuppreſſed the part; ſo it plainly proves the QUEEN and the MINISTER, even in *their own* opinions, to have been ſome of the perſons particularly meant by him.

Nor let it be thought incredible, that they ſhould be parties in the murder. No one can doubt the competency of their principles for ſuch an act, who only looks at their activities in the murder of Mary herſelf. The paſſages above ſpeak loudly againſt them. They intimate them very plainly, to have been at the bottom of this whole tranſaction. And the refuſal of Elizabeth to deliver Archibald Douglas, who "was known to be "guilty of the murther," up to the vengeance of King James; though "the King had often, by his "letters and ambaſſages, intreated the Queen of "England to have him delivered *:" her concurrence, by means of her profligate embaſſadour Randolph, in a colluſive trial, and in an infamous acquittal, of him at laſt †: and, what is ſtill ſtronger than either, her wild and extravagant interference, her baſe tricks of fraudulence, and her daring efforts of violence, her moving earth and hell, to ſave Morton alſo from the arm of juſtice; that very Morton too, who, even in his *garbled* confeſſion, acknowledges he knew Archibald to be guilty of the murder, and who patronized and preferred him notwithſtanding ‡: theſe three very remarkable incidents concur with the paſſages above, to prove the deep concern of Cecil and Elizabeth, in the murder perpetrated by Morton and by Douglas.

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* Hence the copy in Crawford's Memoirs, 374—375, and the accounts in Moyſe, 54—55, Spotſwood, 313—314, &c. &c. The firſt copies, thoſe of the continuator, were ſuppreſſed; and *theſe* circulated in their room.

It now appears indeed, that Elizabeth had a reaſon of a very particular nature, for endeavouring to ſave Morton, and probably Douglas too, from the puniſhment juſtly due for their crimes. Douglas probably, and Morton certainly, knew of *her* ſhare in the murder. They might confeſs it. And then that conſummation of hypocriſy and of ſavageneſs, which ſhe had been practiſing; in pretending to try Mary for a murder, of which ſhe knew *herſelf* and the rebels to have been the joint authors;

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* Spotſwood, 347—348. † Moyſe, 108. ‡ Spotſwood, 310, and 314.

would be all expoſed to the eyes of the aſtoniſhed world. She therefore ſaved Douglas. But ſhe could not ſave Morton. He confeſſed. This confeſſion was thought ſo ample by James at the time, that he mitigated the original ſentence againſt him immediately *. And it is pointedly referred to by Queen Mary herſelf, and with an addition of evidence, in a fine letter to Elizabeth ſoon afterwards. Awfully appealing to God againſt her, and even ſummoning her (as it were) to appear before the judicial throne of God, ſhe thus writes. "In his "name, and as before him ſitting between you and "me," ſhe ſays, "I will remind you, that by the "agents, ſpies, and ſecret meſſengers, ſent in your "name into Scotland, while I was there, my ſub"jects were corrupted, and encouraged to rebel "againſt me, *to make attempts upon my perſon*, and, "in one word, *to ſpeak, do, enterprize, and execute* "*that, which has come to the ſaid country during* "*my troubles:* of which I will not at preſent ſpe"cify other proof, than THAT WHICH I HAVE "GAINED OF IT by the CONFESSION of ONE," or, as Camden in his abridgment of this letter ſays, "confeſſione ex MORTONII ipſius ore," "who "was afterwards amongſt thoſe that were *moſt* "advanced for this good ſervice, and OF THE "WITNESSES CONFRONTED WITH HIM."

Yet the preſbyterian miniſters, to whom it had been made, publiſhed it afterwards in Scotland under a ſoftened form. Even under this form, however, it durſt not ſhew its face in England. The miniſters had very naturally ſoftened at firſt, only what related to Mary and Morton themſelves. They had left all the reſt, to ſtand as it ſtood before. The intimation particularly, concerning the ſhare of Elizabeth and of Cecil in the murder, was left all un-altered. This was accordingly ſo powerful an evidence againſt them, that the hiſtorian could not venture to publiſh it. Yet he honourably informed his readers, that he had ſuppreſſed it. He informed them, that he ſuppreſſed it out of *tenderneſs* to ſome perſons, then alive in England. He thus ſpoke very delicately. Nothing but conſciouſneſs could have underſtood the meaning, and nothing but guilt could have felt the force, of the intimation. Yet Elizabeth underſtood and felt. Elizabeth therefore ſtepped forward with all her habits of tyranny, to ſuppreſs it. The author was obliged to cancel the leaf, which he had printed. But then he was induced by the violence, in his new leaf to ſpeak out concerning the perſons meant, more openly than he had ſpoken before. Thus did that bold and impudent endeavour to vitiate the veracity of hiſtory, in order to ſcreen a couple of concealed murderers, from the moſt diſtant glance of ſuſpicion; terminate juſt as ſuch endeavours ſhould always do, and ſerve to call out an additional and plainer notification of them to the world. And the guilt of this wretched woman, Elizabeth, and the guilt of that wretched man, Cecil, appear too evident at laſt upon the face of the whole.

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* Spotſwood, 314.

Indeed, as far as we can judge of the matter, the whole diſpoſition of the murderous drama was this. The whole was originally planned and deviſed, betwixt Elizabeth, Cecil, Morton, and Murray. The preparatory part of the execution, was to be managed by Murray, Morton, and Lethington, with their reſpective partiſans. But the act of ſetting fire to the mine, was to be done by Bothwell and his partiſans. Only ſome of Bothwell's were to unite in the previous part, and ſome of Morton's at leaſt in the final. Hence Morton appears to have been no more engaged in ſetting fire to the mine, than Bothwell was in digging it. Yet the aſſiſtance of Sir James Balfour was requiſite in the digging; as it was by him, I ſuppoſe, they engaged the owner of the houſe in the plot, ſo got admittance for the preſent work, and ſecured an entry for the future. Some of Morton's immediate dependents alſo, as we ſhall ſoon ſee, were actually concerned with Bothwell in ſetting fire to the mine. And Elizabeth, we may be certain, was to defend the original and more iniquitous part of the conſpirators, Morton and Murray; in charging their own murder upon the innocent Mary, and in forcing her into a marriage with Bothwell, that they might charge her the more effectually.*

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* Archibald Douglas, mentioned before as a murderer, and to whom I here allude as one of Morton's dependents, is ſaid indeed by Morton himſelf, to have been "at that time a depender upon Bothwell," Spotſwood, 314. But this could only be a temporary dependance, and contrived by Morton for an inſidious purpoſe on Bothwell. Douglas was actual *couſin* to Morton

SECTION V.

In this ſtate was the conſpiracy and the houſe, at the time of the Queen's alighting before the latter, on January 30th, with the ſick King in his litter. He and his attendants little thought of the bed of deſtruction, that was prepared for them below. He took up his reſidence in an upper room. This was hung with tapeſtry for him. A new bed, of black figured velvet, had been put up there. A large vat was alſo placed in the room, for the King's bathings. This, with an œconomical prudence which appears rather ſingular in the eyes of the preſent age, was covered with a door, that was taken off the hinges at the entrance of the houſe from the portal, as the portal had a pair of folding-doors to it. And, apprehenſive of the new bed being ſullied by the King's bathing in the vat, the

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Morton (Moyſe, 46). He therefore ſpeaks of himſelf, as "being ſo near of his kin" (Robertſon, ii. 435). He was alſo concerned with Morton, in the murder of Rizzio (433). He was baniſhed with Morton. He was then ſent by Morton into Scotland, to negotiate for his return. He returned with him (434). He went from Morton to bring back Bothwell's anſwer concerning the murder (435). "Schaw to the Earl Morton," was the anſwer by the mouth of Lethington, "that the *Queen* will *hear no ſpeech* of that matter appointed unto him." He was, after the murder, made a Lord of Seſſion by Morton (Arnot's Trials, 7). And we may therefore be very ſure from all, that, if he was at the murder, he was "ſent for that purpoſe by the Earl of Morton" (Moyſe, 49).

the Queen then ordered the former to be taken down, and an old travelling bed of purple to be placed in its room *. The zeal of Mary's enemies, enables us to relate theſe little particulars. They are harmleſs, but curious. And, in a few days, the Queen condeſcended ſo far in attention to her huſband, as to order a bed to be ſet up in the houſe for herſelf. A green bed was accordingly ſet up for her, in the room below the King's. There ſhe ſlept at times, to avoid the trouble and diſagreeableneſs of going out late from the houſe, and *riding* in the night-air with her attendants, through the city to her palace. She ſlept there, ſay Buchanan and Knox, two nights in the week before the murder †. Thomas Nelſon alſo depoſes, that there "ſche lay tua nychtis, viz, the Wedniſday and Fri- "day befoir his murder ‡." But they are both miſtaken. Nelſon we may ſuppoſe to have orally deceived Knox and Buchanan; and Nelſon himſelf to have been deceived in his memory, by the diſtance of time at which he made his depoſition, on December the 8th, 1568, and two-and-twenty months after the murder. We have another account, however, in the ſecond confeſſion of Paris. This plainly ſtudies *not* to contradict Nelſon, and yet contradicts him directly. His, Knox's, and Buchanan's two nights it allows. But the former of the nights it expreſsly aſſerts at firſt, to have been either "Wedneſday or Thurſday," and yet afterwards ſtates it poſitively to have been Thurſday *. And as ſuch a variation between Paris, Buchanan, Knox, and Nelſon, and ſuch a variation in Paris himſelf, concerning ſuch a circumſtance, ſerve to confirm what I have ſo frequently preſſed and proved before, the eternal uncertainty of forgery; ſo the aſſertions of all are compleatly diſproved, by a paper of the higheſt authority. I have quoted already a letter of Mary's, which was written only the day after the murder. In this ſhe ſays thus: "we lay "*the maiſt part* of all the laſt oulk [week] in that "ſame lodging †." And ſhe therefore ſlept four or five days at Kirk-a-field.

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* Goodall, ii. 244.

† Anderſon, ii. 71, Jebb, i. 262; and Knox, 404.

‡ Goodall, ii. 244.

The King and Queen lay in the right-hand, or ſoutherly, rooms above and below. The King's communicated with a gallery on the ſoutherly ſide of it, which was called the little gallery, and had been, I apprehend, the private dormitory of the provoſt. It had a window in the gable-end of the houſe, that looked through the wall of the town, into the gardens and fields beyond. It was a chamber annexed to the houſe, poſteriourly to the building of the whole; having "a gret ſton wall "betwixt the King's chamber and" it, and reſting probably at the other end, upon a broad ledging in the ſubſtance of the town-wall. And, while an elderly attendant ſlept in the King's own room; a young ſon of this attendant's, and two ſervants of the King's chamber, lay in the gallery adjoining. But there muſt have been a couple of chambers more, anſwering to thoſe of the King and Queen, and a great gallery, anſwering to the little gallery upon the other ſide. Thoſe rooms and this gallery formed apartments above, for Bonkle the cellarer, for Mackay and Glen, two more grooms of the King's chamber, and for Beton and Paris, when the Queen ſlept there; and for the Queen's lady in waiting, below. This ſecond gallery, I ſuppoſe, was at the northern gable-end of the houſe, and originally the common dormitory of the prebendaries. It ſtood probably upon pillars, and ſo formed a cloiſter for walking below. Nor could the Queen, as ſhe ſlept there the greateſt part of the week before the murder, have been without ſome of her ladies attending upon her. And ſhe actually had Lady Reres with her, every night. The houſe thus conſiſted of two rooms above, two rooms below, two galleries, and a cellar under all. The whole ſtood *endlong* to the town-wall. The ſouthern gable-end, and the cellar, had each an opening through the wall. A garden lay behind the houſe, and ran along the wall. And in this, when the King was retired to reſt, the Queen uſed to breathe the freſh air after her confinement in his chamber; and to divert the melancholy of her kind attendance upon him, by joining with Lady Reres in a ſong *.

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* Goodall, ii. 79—81, and i. 137. † Keith, Pref. viii.

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* Goodall, ii. 241, "Thomas Nelſon," who lay in what is hereafter called the little gallery, "ſcaped by reaſon of a "gret ſton wall betwixt the King's chamber and that place "wherin he did lye;" 245, "the *litill* gallery, that went di- "rect to *ſouth* out of the Kingis chalmer, havand ane win- "dow

In this view of the houſe, it appears to have been a ſmall one, and a ſmall quantity of powder would be ſufficient to blow it up. But why did the murderers defer the execution of their project, for ſo many days after the King's return? In all probability, the Queen's coming to lodge in the houſe was the reaſon. Mary indeed fancied, immediately after the blow was ſtruck, that it was intended equally for her as for him. “Quha ever have taken

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“dow in the *gavel* throw the town-wall;” and 244, “that door, quhilk paſſed through the ſellar and the town-wall.” Thomas Nelſon ſpeaks only of himſelf, William Taylor, Edward Symonis, and William Taylor's boy, as in the houſe with the King (ii. 245). Buchanan alſo ſpeaks of “na man left within, bot ane zoung man not zit recoverit of ſeiknes, and ane auld man febil be age, and twa ſtrangeris unacquentit with the places, mater, and perſones” (71, Anderſon, ii. and 261, Jebb, i.). But even Bellenden's account of the trial of the murderers, ſpeaks of William Taylor, and “Andro Macaig,” as murdered with the King (Anderſon, ii. 191). The record alſo of Douglas's trial ſpecifies William Taylor, who lay in the King's own chamber (Goodall, ii. 245), *Andrew Makcaig*, and *William Glen*; as all in the houſe, and as all grooms of the chamber, “cubiculares,” to the King (Arnot's Criminal Trials, 9 and 18). And the key to the garden was kept by Beton, one of the Queen's attendants (Goodall, ii. 244), who is mentioned as one of the murderers by the rebels (Arnot, 384). Buchanan, therefore, repreſents *Paris* to have kept the key “of the back-gate” (Anderſon, ii. 21, and Jebb, i. 245); it being “the key of the paſſage that paſt toward the gairding” (Goodall, ii. 244). And as from L. ii. § 4. Beton ſeems to have gone from the Queen at Glaſgow, to attend a court of Sir James Balfour's; and as he and Sir James were equally in the plot; he went probably with intelligence to the conſpirators, concerning the Queen's return.

"this wicked interprys in hand," ſhe ſays in her letter of the very next day, "we aſſure ourſelf it "wes dreſſit alsweill for us, as for the King *." This was very natural for her to ſuppoſe, at the time. But we know more than ſhe did then. We know, that in this buſineſs there was an upper and an under plot, and both concurring to carry on the main buſineſs of the piece. Murray, Morton, and Lethington, long hackneyed in the practices of rebellion, and cemented in a dreadful union together by the blood of the murdered Rizzio, were the firſt projectors of it. They had drawn Bothwell into the conſpiracy with them, a man hitherto attached to the crown, hitherto faithful to his duty, and hitherto active and vigourous againſt them. But what would not yield to the *common* principles of ſeduction, had given way to the force of a particular temptation. He had been uſeful. He had been treated with diſtinction. He began to found ambition upon gratitude. The reſcuer of the Queen aſpired to become her huſband. And he, who could not be perverted from the line of duty, was induced by thoſe artful ſpirits whom he had oppoſed, to make fidelity do the work of rebellion in him. He was married indeed. So was ſhe. But, when the mind once faſtens upon a favourite object, it overlooks all obſtructions to it; and if devoid of principle in itſelf, and eſpecially if goaded eagerly on by the Grand Tempter and his human inſtruments, reſolves to level all obſtructions before it. He meant to procure a divorce, for conſanguinity. And he united with theſe native children of rebellion, to whom he had ever been adverſe before, in making a bloody divorce between the Queen and her huſband. Juſt ſo, Darnly himſelf had confederated before with thoſe very rebels, in the murder of Rizzio. They were ready to confederate with men or devils, for the proſecution of their villainous purpoſes. They had confederated with *him*, againſt Bothwell and others. They were now confederating with Bothwell, againſt him. And they ſpeedily confederated with others, againſt Bothwell. But, in *this* ſtate of the preſent plot, the under part prevented the upper from taking ſuch an ample ſweep of flagitiouſneſs, as the ſouls of its framers would naturally have aimed to take; and from involving the Queen, in the ſame ruin with her huſband. Bothwell's adherents had the key of the poſtern, in the hands of Balfour the owner. Bothwell himſelf was to act with his adherents, in ſetting fire to the mine. And as he would undoubtedly take care not to blaſt his own views, by deſtroying Mary together with Darnly; ſo the Queen's ſleeping in the houſe the greateſt part of the week before, would undoubtedly occaſion him to defer it.

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* Keith, Pref. viii.

Why the execution had not taken place, *before* ſhe came to ſleep there; does not appear. In all probability, the natural irreſolution of the moſt audacious ſpirits at the execution of ſuch a deed of horrour; and the peculiar irreſolution of him, who was to be the great agent in it, and who, though very profligate, was not ſo thoroughly abandoned as his brothers in villainy; prevented it at firſt. Then the Queen's lodging in the houſe, ſuſpended it afterwards. And, when it was executed at laſt, it was executed only becauſe ſhe was accidentally abſent for a night*.

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* In Paris's ſecond confeſſion, and in a part which is in Goodall, ii. 79, 80, and 81, Paris ſays: "que le *jour* que "Monſ. de Boduel lui avoit communiqué le fait de meurtre de "Roy," as in the firſt confeſſion is mentioned, and, as is there ſtated to have been, "upon *Wedneſday or Thurſday* before the "Sunday of the King's murder" (Goodall, i. 137); qui fuſt "*le meſme jour* que la Royne *couchuſt au logis du Roy a Kirk-a-"field* (ainſi *comme il en ſouvient fort bien*," &c. This night of the Queen's lodging at Kirk-a-field, then, is here ſtated to have been "Wedneſday or Thurſday" before the murder. This Paris *remembered very well*. But it was only the *firſt* night. The *ſecond* was Friday: "Vendredy, la nuit la Royne coucha "*encores* au logis du Roy." The *firſt* night ſhe employed thus: "Eſtant couché, ne dormoyt point toute la nuit." How can Paris poſſibly know that? Let the ſequel tell: "Ains eſcrivoit "de lettres a Monſ. de Boduel, et les envoye par le dict Paris "au Sieur de Boduel." Paris knew that ſhe was writing letters in bed, it ſeems, becauſe ſhe—rung her bell, no doubt; and called him into her bed-room in the dead of the night, even while ſhe was in bed herſelf, without one female attendant near her; and gave him the letter which ſhe had been writing. Such are Queens, in the opinion of this confeſſion-writer! But at what hour of the night was this? About eleven or twelve, "environ l'onze ou douze heures de nuit." Yet he affirms before, that ſhe did not ſleep "toute la nuit, ains eſcrivoit de "lettres." With ſuch a wretched memory was this falſifier curſed! And ſo fully does one part of a falſhood in him, refute and repel the other!

Paris went, however, with the letter to Bothwell, then at Holyrood-houſe. "Ayant delivré ceſte lettre au dict Sieur de "Boduel, il reſcrit, eſtant au lict; et, en baillant la reſponce

" au

SECTION VI.

MARY had now viſited the King daily. She had ſtaid many hours with him, at every viſit. She had

" au dict Paris, il lui dict, Dites a la Royne, que *je ne dormiray* " *point que je ne aſcheve mon entrepriſe.*" This is a moſt gallant reſolution. It was now, we muſt remember, " Wedneſday or " Thurſday" night. The murder was not executed till about two on Monday morning. And yet Bothwell, in the ardour of his zeal for Mary, vows never to ſleep again till all is over, and to continue waking all the reſt of Wedneſday or Thurſday night, all Friday night, all Saturday night, and all Sunday night, till two in the morning of Monday. Such is the wild abſurdity of this confeſſion! And ſuch are its heroes and heroines!

Paris returned to the Queen with this verbal meſſage, and a written anſwer from Bothwell. It was morning before he reached her. But lo! at this inſtant we find him no longer uncertain, whether the day before was " Wedneſday or Thurſ- " day." He is now certain, without noticing his own uncertainty. It was actually Thurſday. For *this*, he ſays, is Friday morning. " Eſtant de retours vers la Royne *Vendredy* au matin." Such another proof have we here, of the wretched memory of this falſifier! And ſo plainly do we again find one of his falſhoods, refuting and repelling another!

The Queen again received him into her bed-room, while ſhe was in bed. He there preſented her with Bothwell's written anſwer. He there rehearſed to her Bothwell's verbal meſſage. The Queen made a laughing reply to the latter. " Et ce " diſoyt-elle, eſtant *au lict*," Well might Mary be eſteemed an adultereſs, when ſhe admitted ſuch fellows to viſit her *in bed* at ſuch hours!

There is alſo another tale concerning Paris and his Queen, in another part of the confeſſion; which runs parallel with the preſent in vulgar impertinence, and is a very notable addition to it. In Goodall, ii. 82, Paris is equally made to ſay; that the had even ſpent moſt of the evenings in the ſecond week with him, and ſlept in the room below him *.

On the morning after the murder, betwixt nine and ten, "entre "neuf et dix heures," he entered the Queen's bed-room, *even while ſhe was again in bed*, and with all the eaſy familiarity with which he would have gone into his own. Yet ſhe had not *then* rung her bell for him. He went in, however. Called or un-called, he could never enter improperly. She had no privacies, as a woman; no dignity, as a lady; and no majeſty, as a queen. He therefore preſumed to open her bed-room door. He found the bed covered with black, the window-curtains drawn cloſe, and candles lighted upon the toilet. Theſe were all tokens of royal mourning. Yet ſhe muſt have been very recollected, and very ſpeedy, to have had them provided ſo ſoon. *This* was the deſigned inſinuation of the forgery here. But Buchanan had previouſly aſſerted the fact to be quite contrary, with the aim of ſlandering her for *not* mourning ſoon enough. On the morning of the murder, *he* ſays, and after ſhe had ſent out to enquire about it; "ſcho hirſelf ſettillit hir to "reſt, with ane countenance ſa quyet, and mynde ſa untroubillit, that ſcho *ſweitly ſleipit till the nixt day at none*;" and it was not till ſhe had "cauſit him to be buryit," that "be "lytill and lytill ſcho *began* to ſet hir face, and with counterfuting of *murning* ſcho laubourit to appeis the hartis of the "grudgeing pepill" (Anderſon, ii. 23—24, and 27, and Jebb, i. 245 and 246). Yet *here* ſhe is all awake, and *here* ſhe is keeping her mourning, betwixt nine and ten of the very morning of the murder. And the one falſhood deſtroys the other effectually. Paris however ventured in. He advanced into all this ſcene of mourning. He had a particular reaſon, it ſeems, for doing ſo. *He came to breakfaſt there*. He accordingly *had his breakfaſt ſerved to him there*. It was *a ſingle egg*, ſpare and mourning diet! "Madame de Briant luy donnoit a "dejeuner une ouf là." And, *while he was at breakfaſt there*,

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* Anderſon, ii. 71, Jebb, i. 262, and Keith, Pref. viii.

On Sunday, the 9th of February, ſhe viſited him in the evening, attended by Lady Reres, and accompanied by the Earls of Argyle, Huntly, Caſſils, and Bothwell *. She alſo declared her determination, to ſleep there for the night †. But, about eleven o'clock, ſhe ſuddenly altered her reſolution. She recollected the marriage, which had been that day celebrated between Francis Sebaſtian, one of the gentlemen in her train, and one of the ladies

Bothwell, as if by compact with him and with the Devil, came in, went up to the bed, and whiſpered with the Queen behind the curtains. "Monſieur de Boduel arriva, et parla a elle ſe-"cretement ſoubz la courtine." The Queen's bed-room, even while ſhe was in bed herſelf, was thus made the BUTTERY-HATCH to the palace, under the moſt elegant and poliſhed princeſs in Europe!

But Mary ſuffered even more than all this, it ſeems, at Paris's *former* viſit! Yet what could be more, unleſs Paris got into bed to her? She even did, what in the eſtimation of a *woman*, would be more than ſuffering Paris to get into bed to her. SHE ACTUALLY ROSE, AND DRESSED HERSELF, BEFORE HIM. "Ce diſoyt-elle, eſtant *au lict:* et, COMME ELLE S'ABILLOIT, "le dict Paris prend le deux clefs *de la chambre de la Royne*," &c.

Such is the aſtoniſhing *monſtroſity* of a confeſſion, that has been accepted by the world for authentick evidence! "One of "our late criminal judges," ſays Mr. Goodall, i. 136, "of "high character for knowledge and integrity, was by reading "it induced to believe every ſcandal, that had been thrown "out againſt the Queen." And yet it plainly carries, on examination, the marks of its own knavery in every lineament and feature of its face. The hiſtory of human opinions, is the ſevereſt of all poſſible ſatires, upon the mental powers of man.

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* Anderſon, ii. 22, 27; Jebb, i. 244, 262; Appendix, N° x. and Keith, Pref. viii.

† Goodall, ii. 245, and Keith, ibid.

of her bed-chamber probably. And ſhe had promiſed to honour the banquet with her preſence, and to give her houſhold a maſque and a dance at night *.

Maſquerades, it ſeems, had been introduced into Scotland, a few years before; and not by the gay and popiſh Queen, but by that arch-proteſtant, the "rude, homely, and blunt" Murray, on his marriage to the Earl Marſhal's daughter. Yet a maſque and a dance upon a *Sunday* night, would ſhock the ſpirit of piety at preſent. Buchanan himſelf, however, does not take the leaſt exception to the Queen's conduct, upon that account. There was, indeed, the very ſame ſort of gaiety exhibited at the Queen's wedding to Darnly. "Upon *Sunday* in the morning, *between five and ſix*," ſays Randolph in a letter at the time, "ſhe was conveyed by divers of her "nobles to the chapell; ſhe had upon her back "the great mourning-gown of black, with the "great wide mourning-hood, not unlike unto that "which ſhe wore the doulfull day of the burial of "her huſband." Theſe were *her widow's weeds*. She was married, and received the ſacrament. She went to her chamber afterwards. There "being "required, acording to the ſolemnity, to caſt off "her cares, and leave aſide thoſe *ſorrowfull garments*;—ſhe—changed her garments.—After the "marriage, followeth commonly great cheer and "*dancing*; to their dinner they were conveyed

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* Goodall, ii. 245; and Keith, Pref. viii.; Appendix, N° x.; Anderſon, ii. 77—78; and Jebb, i. 263—264.

"by the whole nobility—; after dinner they *danced* "awhile—; and as they dined ſo do they ſup, ſome "*dancing* there was *."

The fact is, that the Sunday was not then conſidered, either in England or in Scotland, with the ſanctimonious reverence, which we find of ſo much conſequence to religion at preſent. This the conduct of Mary, the manner of Randolph, and the ſilence of Buchanan, all concur to ſhow. We owe the uſeful change in our opinions, to the influence of preſbyterianiſm. And it was the gloomy ſeverity of Britiſh Calviniſm, which, correcting the gaiety before, and being corrected by it, has juſt ſerved to throw a happy ſhade of ſolemnity, over this weekly day of combined devotions. Yet Mary, in compliment probably to that riſing prejudice among her ſubjects, did not directly break in upon the Sunday, with her maſquerade. She evaded the violation of the one, by deferring the commencement of the other. The maſquerade was not to begin, till the Sunday was paſt. It did not begin, before the clock had ſtruck twelve. This the extreme lateneſs of the hour, when ſhe recollected her promiſe, and went away to perform it, very forcibly ſuggeſts to us. And Buchanan is poſitive in his declaration concerning it, as he ſays; "*proximum mane* ludis et lætitiæ deſtinârat *."

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* Keith, 196 and 197, and Robertſon, ii. 348—349. See alſo Keith, 206, where, "the *Sunday* before,—the Lord Robert, the Lord John, and others, ran at the ring, ſix againſt "ſix, diſguiſed and apparelled, the one half like women, the "other like ſtrangers, in ſtrange maſking garments." Randolph, Dec. 7th, 1561. This was *before* the marriage of Murray, which did not take place till the month of February following (Knox, 302). It was not conſidered as a maſquerade, however. It was only a tilting by gentlemen in fancy-dreſſes. And therefore Knox ſpeaks thus concerning Murray's marriage: "the gritnes of the bankett, and the vanity uſit thairat, offendit many godly; thare *began* the *maſking*, quhilk "*from yeir to yeir hes continewed ſince*" (Knox, 302).—That *black* was then uſed for mourning equally as it is now, notwithſtanding what is ſaid by Dr. Stuart, i. 109—110; is plain from the very paſſage in the text above, and again from this in a letter of Throgmorton's. Speaking of the intended burial of King Henry at Paris, he ſays on Auguſt the 4th, 1559: "I "have as yet received no *blackes for mourning*—; notwithſtanding, I have bought me a *mourning cote and cloke*" (Forbes, i. 192). And accordingly Knox ſays expreſly, that the Queen was married "all clothed in *mourning*" (p. 380).

Mary had thus promiſed a maſque and a dance to her houſhold, after twelve that night, on account of Sebaſtian's wedding; and now recollected that ſhe had. This promiſe ſhows very ſtrongly, the condeſcending friendlineſs of the Queen to all her houſhold. She immediately mentioned her recollected engagement, to the King. She excuſed herſelf from ſtaying with him. She kiſſed him. Her heart ſeems to have been particularly full, at the moment; ſympathizing, as it were, with the good intelligences about her, and receiving ſome ſecret impreſſions of tenderneſs from them. And ſhe took a ring off her finger, and gave it to him at parting †. What ſoul is there, even of the ſterneſt diſciples of faction, that does not ſigh over a Queen, now devoted to deſtruction? She has the murderer of her huſband, and the raviſher of herſelf, attending upon her. Her own future fate is a thouſand times more wretched, than her huſband's. The whirlwind of death, that is to riſe immediately, will waft *him* at once to a peaceful grave, where no Murraies can project, no Mortons prepare, and no Bothwells execute, any further trains of miſchief againſt him. But it involves *her* in a long maze of miſeries. It gives the villains, who had eternally been plotting againſt her, a full capacity to ruin her. It gives Elizabeth the opportunity, for which her daſtardly ſoul had been long upon the watch, of triumphing over her fallen greatneſs, and of inſulting an integrity which upbraided her own conduct. And, what much more ſenſibly affected the feelings of an elevated mind like Mary's, it gave them both an occaſion, which they eagerly embraced, of hurting her fame, of wounding her honour, and of ſending her to the grave, after an impriſonment of eighteen years, with a load of obloquy on her head *.

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* Hiſt. xviii. 351.

† Anderſon, ii. 72, and Jebb, i. 262.

Nor muſt this be conſidered as any change of general reſolution in the Queen, and as therefore occaſioning the immediate execution of the plot. She had previouſly intended this, then forgot her intention, and now recollected it. The marriage of Sebaſtian had for ſome time, no doubt, been intended to be celebrated on this day. And the

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* "There is one injurie more," ſays the Biſhop of Roſs, "that doth greeve and moleſt this good guiltleſſe Ladie more "then all theſe,—that is, their ſhameful and moſt traiterous "diffaming her," &c. Anderſon, i. 40.

Queen had equally, no doubt, for ſome time promiſed to treat her attendants upon it, with a maſqued ball at night. Such a promiſe, and ſuch a wedding, would occaſion too much talk, and would require too much preparation, not to be well known. Accordingly the deſigned wedding is declared by the very rebels themſelves, and in their very forgeries of the letters, to have been known to the Queen, known to her attendants, and even communicated to the King at Glaſgow, more than a *fortnight before the day*. "I am abaſchit," ſhe is made to ſay in her *firſt* intercourſe with the King on the 24th of January, "quha has ſchawin him "ſa far; zea, he ſpak evin of *ye marriage of Baſ-* "*tiane* *." And the marriage being well known to be deſigned for Sunday, and the maſqued ball being equally known to be deſigned for the night of that day, the conſpirators very naturally pitched upon this night, for the grand execution of their plot. Bothwell, as particularly ſolicitous not to deſtroy the Queen with her huſband, muſt have been ſeeking the opportunity of her abſence from him, during the days that ſhe had begun to ſleep in the houſe. This intended ball would preſent the opportunity. It muſt be carefully ſecured. It would not occur again. The King, who was now able to ſit up ſo late, could not have been expected for ſome days before, to be long an inhabitant of the houſe. And we have the evidence of hiſtory itſelf, that this night had been previouſly pitched

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* Lett. i. Sect. 6.

upon

upon by the conſpirators, for the execution of their horrible villainy.

"Is it unknowen, think ye, the Erle of Mur-"ray," ſays the Biſhop of Roſs in a remarkable anecdote, concerning the *well-timed* departure of Murray from Edinborough on the forenoon of Sunday the 9th [*], "what the Lord Harris ſaid *to* "*your face* openly, even *at your owne table*, a *few* "daies *after* the murther was committed? Did he "not *charge* you with the FOREKNOWLEDGE of the "ſame murther? Did not he, nullâ circuitione "uſus, *flatly and plainely burden you*; that you, "riding in Fiffe, and coming with one of your "moſte aſſured truſty ſervants, *the ſaid day wherein* "*you departed from Edenborough*, ſaid to him among "other talke, THIS NIGHT, ERE MORNING, THE "LORDE DARLEY SHALL LOSE HIS LIFE [†]?" No doubt can be made, concerning the truth of this aſſertion. It was immediately addreſſed by Lord Herris himſelf, to the Earl of Murray himſelf. It was addreſſed openly to him, at his own table, and within a few days after the murder. He then and there charged him, with a FOREKNOWLEDGE of the murder. He alſo confirmed his charge by an appeal to a ſpeech, which Murray himſelf had made to a confidential ſervant, the day before the murder; and which the ſervant had repeated ſince. And the whole is recorded by the Biſhop of Roſs, in a direct addreſs to the Earl of Murray, that was publiſhed at the time, and never anſwered.

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[*] Detection, 20, Anderſon, i. and 289, Jebb, i.

[†] P. 75, Anderſon, i.

Lord Herris himſelf alſo united with Lord Boyd, to furniſh the *incidents* mentioned in the Biſhop's work *. He therefore furniſhed the preſent. And the Biſhop *received it immediately from him*. But there is an union of ſeveral facts in one, which has never been ſufficiently attended to; and which gives us at once a fuller diſplay of the guilt of Murray, and a fuller proof of the truth of the anecdote above.

In the very ſame ſpirit, with which Lord Herris taxed Murray at his own table with a FOREKNOWLEDGE of the murder, he afterwards taxed him in a letter of challenge to Lord Lindeſay. This Lord had been informed, that Herris had aſſerted in converſation, " My LORD REGENTIS GRACE, and " his cumpanie here preſent," Murray and his brother-commiſſioners in London, " were giltie of " the abhominabill murthour." Herris ſtated his ſpeech to be this: " Thair is of that cumpanie " preſent with the Earle of Murray, giltie of that " abhominabill treſſoun, in the FOIRKNAWLEDGE " and conſent thairto." He evidently alluded then, to his verbal challenge of Murray before. He *now* declares he meant not Lindeſay. He meant, he intimates, Murray alone. " Let *aucht*," he ſays, " of the PRINCIPALLIS that is of thame, ſubſcryve the like writing ze have ſend to me," that is, challenge him as Lindeſay had done; " and I " SHALL POINT THAME FURTH, and fight with " SUM of the tratouris thairin; for meteſt it is, " that *tratouris* ſould pay for *thair awin* treſſoun †."

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[*] Appendix, N° xii.

[†] Goodall, ii. 271—272.

In all this he hints at *Murray* only. *Murray himſelf ſaw he did.* He remembered the challenge at his own table. He *therefore* ſaw the tendency of this. He applied to Lord Leiceſter with “ inoportune [importune] ſuit,” to bring him and Herris together. Leiceſter ſent a verbal meſſage for that purpoſe, to Herris. But this high-ſouled peer refuſed to go, unleſs it was to aver, prove, and fight. “ For the Erle of Murray,” he replied upon paper, “ ſwa lang as he miſ-knawis his “ dewtie to his native Soverane, I will nether for “ his inoportunes [importunities] nor pleſour travell. Bot,” and he then diſcloſes to us a fact, that has never been noticed, and yet is of very great conſequence in itſelf, “—gif it be to ANSWER to *ſic writings*, as *firſt* I *red befoir zour* “ *honouris* at Weſtminſter, the Quenis Majeſtie's “ *commiſſionaris*, and *efter preſentit unto hir Hienes*;” A WRITTEN ACCUSATION OF MURRAY FOR THE MURDER, which *the commiſſioners have not noticed* at all, and which the *commiſſioners* and their *Queen* have even united to *ſuppreſs for ever*; “ I ADVOW “ THAME, and, with the grace of Almightie God, “ SHALL LEIF NA PART UNPROWIN, that trewth “ and honour requiris; QUHAIROF I HAIF SENT “ ZOUR LORDSHIP HEIRWITH ANE COPIE,” which Lord Leiceſter, like the Queen and her commiſſioners, took effectual care to ſuppreſs; “ as “ alſwa ane letter I reſſavit this day of the Lord “ Lyndſay, with my anſwer to it;” both which, with the letter to himſelf, Leiceſter took care to preſerve. “ Gif NEED SALL REQUIRE MY AWIN

"PRESENCE TO ADVOW THE SAMIN, it will pleis
"zour Lordſhip to *advertels this my ſervand*; and
"I SALL NOCHT FAILL TO BE THAIR, at the hour
"appointit be zour Lordſhip, gif God ſall ſpair
"my lyif*."

The ſhare of Murray in the murder, by his knowledge of the intention, and his prediction of the act, a few hours before; here ſtrikes upon our underſtandings very forcibly, from Herris's crimination of him to his face, and from Herris's accuſation of him again, in a writing, read in form to the commiſſioners of Elizabeth, preſented in form to Elizabeth herſelf, and ſent afterwards to the Earl of Leiceſter. The written accuſation of him, no doubt, was ſubſtantially the ſame as the verbal one, and what the Biſhop of Roſs publiſhed afterwards. But how did Murray behave, under this powerful crimination? He behaved pretty nearly, as Elizabeth, Leiceſter, and the commiſſioners behaved. *They* took no notice of the charge, *becauſe they knew Murray to be guilty of it. He* took notice of it,—to crouch and cower under it. He was charged with a foreknowledge of the murder, in a formal paper read to the commiſſioners and preſented to the Queen, about the 20th of December; as the letter noticing it is dated the 22d. He was indirectly challenged as a murderer, in Herris's reply to Lindeſay of the 22d; and pointedly challenged again, in Herris's ſubſequent letter to Leiceſter of the ſame day. Yet he dared not to accept the repeated challenge. He wanted not courage. But he knew his own guilt. He knew alſo, that Herris knew it. He therefore declined the trial. He firſt endeavoured to accommodate the difference with Herris, and for that purpoſe ſolicited *importunately* a perſonal interview with him, through the mediation of Lord Leiceſter. But this only ſerved to provoke a more direct challenge from Herris. And then Murray ſhrunk up under the conſciouſneſs of his criminality, into a ſneaking and ſnivelling wretch. He repaired to the Queen and council. It had been "murmurit "and bruitit," he ſaid, "that HE and his cumpanie "ſould be guiltie of the murthour." This report he underſtood, he ſaid, "to have procedit fra the "Quene's of Scotland's commiſſionaris." He thus ſhows his knowledge of the accuſation, by his endeavour to evade it. He thus ſubſtitutes a *vague, general*, and *reported* accuſation of himſelf *and his aſſociates*, from Mary's commiſſioners *at large*; in the room of a *written* one from Lord Herris, that was ſpecifically againſt *him* only, that had been read by Lord Herris himſelf to the commiſſioners of Elizabeth, had been preſented to Elizabeth by Lord Herris himſelf, and had been ſent by Lord Herris himſelf to the Earl of Leiceſter. And he *bemoaned* his fate, to this very Queen and thoſe very counſellors. "The Erle of Murray," ſays the regiſter of theſe proceedings, "had MEANIT "HIM to the Quenis Majeſtie and counſall *."

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* Goodall, ii. 273.

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* Goodall, ii. 280.

All this confirms the anecdote deciſively, concerning Murray's unguarded prediction of Darnly's death. But the whole is highly illuſtrated by a collateral fact; a poſteriour challenge of the ſame nature, which this very Lord Herris ſent to one, who was afterwards proved *judicially* to be guilty of the murder. He then, by a formal trumpeter, "offered to fight—with the Earl of "Mortoun, upon that head;" that he was "upon "the councel, and conſequently airt and pairt, of "the King's murther." And Morton did as Murray had done before, ſhrink under the accuſation, and decline the challenge *.

The night of the ninth of February, therefore, had been previouſly pitched upon by Murray, Morton, Bothwell, and the others, for the night of the murder; from Bothwell's care not to deſtroy his own ſchemes of ambition, by involving Mary in the fate of her huſband; and from the well-known intention of Mary, to give a ball that night at Holyrood-houſe, and ſo to be abſent from Kirk-a-field. She forgot her intention at firſt. She recollected it afterwards. Had ſhe not, ſhe would have been reminded of it, by the grand conſpirator now with her. She left Kirk-a-field with him and the others, about eleven at night. About twelve, the King retired to bed. The man, who ſlept in his chamber, would retire afterwards. Then the boy and the two men, who ſlept in the adjoining gallery, would retire alſo. The extinction

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* Melvill, 100, and Crawford, 137.

tion of *their* light, as ſeen through the window in the gable-end, was naturally the ſignal to the conſpirators, waiting in the fields to ſee it. And by the time they would be fallen into a ſound ſleep, a little after two in the morning [*], the villains entered the houſe by the poſtern-door, ſet fire to a train, and effected all that their hearts deſired.

But how does Bothwell appear to have been concerned, in this laſt and finiſhing ſtroke of the conſpiracy? He appears very plainly. We need not indeed adduce any of the rebel evidences, againſt him. They may be thought not competent to convict him. Yet his guilt is very manifeſt without them. The warmeſt friends of Mary conſidered it ſo, at the time. Murray, that very SATAN of Scotland in his day, had now ſo

> Grappled him to his heart with hooks of ſteel;

"that about twoo moneths after," ſays the Biſhop of Roſs, "he toke his journey into France, leaving "the EARL BOTHWEL AS HIS MOST ENTIER AND "TRUSTY FRINDE, recommending AL HIS CAUSES "AND AFFAIRES TO HIM BEFORE AL OTHER [†]." So Camden ſays expreſsly, that Murray at this departure for France, "to take away all diſtruſt, "COMMENDED HIS WHOLE ESTATE IN SCOTLAND "TO THE QUEEN AND BOTHWELL'S TRUST [‡]." "Is it not ful wel knowen, thinke ye," the Biſhop ſays to Murray himſelf, in a formal and un-anſwered

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[*] Goodall, ii. 245, and Keith, Pref. viii.

[†] Anderſon, i. 67.

[‡] Camden, 94 of the tranſlation, and i. 117 of the original. Blackwood alſo ſays the ſame, Jebb, ii. 216.

challenge

challenge from the preſs, “that YE and the Earles “BOTHWEL, MORTON, and OTHERS, aſſembled at “the caſtle of CRAGMILER, and OTHER PLACES, “at DIVERS TIMES, TO CONSULT AND DEVISE “UPON THIS MISCHIEF?”—“We can tel you,” he adds, “that there were INTERCHANGEABLE “INDENTURES made and ſubſcribed by you,” BOTHWELL and the reſt; “that he which had “the beſt opportunitie offered to make him away, “SHOULD FURTHWITH TAKE IT IN HAND, AND “DISPATCH HIM.”—“We can tel you, and ſo “can FIVE THOUSAND AND MOE of THEIR OWNE “HEARING, that John Hepborne, the Earle BOTHWELL's ſervant, being executed for his and your “traiterous fact, DID OPENLY SAY AND TESTIFIE, “as HE SHOULD ANSWERE TO THE CONTRARIE “BEFORE GOD; that YOU were PRINCIPAL AUTHORS, COUNSAILERS, AND ASSISTERS with HIS “MASTER, of THIS EXECRABLE MURTHER; and “that HIS SAID MASTER ſo tolde him; and farthermore, that HE HIMSELF HAD SENE THE INDENTURES WE SPAKE OF.” And as Mary's commiſſioners ſay, in a formal paper of December 1ſt 1568 to the commiſſioners of Elizabeth, “thay “themſelfis, that now pretend herewith,” by charging the Queen, “to excuſe their own treaſouns; “were THE FIRST INVENTARIS, WRITERS WITH “THEIR OWN HANDIS, of that deviliſh BAND, the “conſpiracy of the ſlaughter of that innocent young “gentleman Henry Stewart, lait ſpouſe till [to] “our Soveraigne; AND PRESENTIT [it] to their “WICKIT CONFEDERATE, JAMES EARL BOTH-

"WELL; as WAS MAID MANIFEST BEFOIR TEN "THOUSAND PEPILL, at the execution of certain "of the principall offendaris at Edinburgh *." The guilt of Bothwell here burſts on our view, with all the brightneſs of a large meteor flaſhing full upon it.

This profligate man appears to have engaged ſome of his own immediate ſervants with him, in the horrid deed. Powry, his porter, and Dalgleiſhe, his chamberlain † (for the nobles of Scotland then kept chamberlains, as well as porters), were both concerned with him. John Hepborne, John Hay, and two Ormiſtons of Tiviot-dale ‡, were equally concerned. And ſo was alſo Paris, according to the rebel evidences. Paris had long been in Bothwell's ſervice. But he had recently been recommended by him, to be one of the two "eſquires "of the Queen's chamber door," as they were then called, or "gentlemen uſhers of the privy "chamber," as we ſhould now call them. Bothwell had recommended him, in order to promote him. He is thus thought, to have attached him the ſtronger to him. And the fellow is believed, to have ſhowed at once his gratitude and his profligacy, by uniting with Boncle, who betrayed his maſter, and by acting with Bothwell, who murdered him. But all this is founded merely, on the ſuſpectable teſtimony of the rebels. And it is directly contradicted, by a teſtimony of a much ſuperiour nature. Paris, *in his laſt moments*, denied all ſhare in the murder. He was hanged at St. Andrews, ſays a cotemporary and very reſpectable authority, "for the murder of the late King, THOUGH "HE DENIED THE FACT[*]." There was however, beſides thoſe above, Archibald Douglas, a clergyman, a relation and a retainer to Morton; and his ſervants, John Binning, and Thomas Gairner. In 1581, on Morton being accuſed of the murder, Archibald, who had then been raiſed by Morton to the dignity of a lord of ſeſſion, but was well known to have been one of the murderers, was ordered to be ſeized; retired haſtily out of Scotland; and ſo eſcaped the puniſhment, that was now deſcending upon the firſt projectors of the murder. Yet his ſervant Binning was ſeized. He confeſſed the truth. He owned, that he was actually preſent with his maſter, at the blowing up of the houſe; that his maſter went to the perpetration of the crime, juſt as Bellenden's falſe confeſſions, *for that reaſon*, repreſent ſome of the conſpirators to have come to it, "with *mulis* [or ſlippers] upon yair "feet;" that in the hurry and the darkneſs his maſter loſt his ſlippers, which appear to have been of *velvet*; and that they were found the next morning, and known to be his[†]. And "we can tel you," adds the Biſhop of Roſs, "that John Haye of "Galoway, that Powry, that Dawgliſh, and laſt of "al, that Paris, al being put to death for this crime, "TOKE GOD TO RECORDE, at the time of their

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* Anderſon, i. 76, and Goodall, ii. 213.

† Appendix, N° x.

‡ Goodall, i. Pref. xvii.

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[*] Crawford, 137.

[†] Goodall, i. 329—330, Arnot's Criminal Trials, 10, 15, and 16, Moyſe, 55, and Crawford, 365—366.

“death; that THIS MURTHER was by YOUR,” Murray's and Morton's, “COUNSAYLE, INVENTION, AND DRIFT COMMITTED; who alſo declared, THAT THEY NEVER KNEW THE QUEENE TO BE PARTICIPANT, OR WARE, THEREOF*.” Yet how could theſe adherents of Bothwell's know any thing, of Murray's or Morton's concern in the buſineſs? Murray was certainly not preſent at the concluſion of it. Morton was equally not. But both were preſent undoubtedly, at the ſinking and charging of the mine. And theſe men were, in all probability, ſome of their labourers in this preparatory part of the work, as well as ſome of the aſſiſtants to Bothwell and Douglas, in the final completion of it. †

The confeſſions of theſe men are ſo ſtrong a proof of the innocence of Mary, and of the guilt of Murray, Morton, and Bothwell; that the Biſhop of Roſs very judiciouſly urges it, again and again. “The teſtimony” (he ſays) “and confeſſion of divers guyltie, as they be *reported*,” the Biſhop (I ſuppoſe) here alluding to Paris particularly, “and executed in Scotland for the ſaid offence; which THEY OPENLY MADE AT THE TIME OF

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* P. 76—77. And ſee Crawford, 41.

† Morton was *indited* for being preſent, at the *laſt* act of this bloody tragedy. But he was *found by the jury*, to be guilty only “of airt, pairt, *foirknawledge*, and *conceiling*.” See Arnot, 390 and 391. And accordingly Lord Herris, who charged Murray himſelf with only a *foreknowledge* of the murder, charged Morton only with being “*upon the councel*, and conſequently airt and pairt, of the King's murder” (Melvill, 100).

FH
MVSEVM
BRITANNICVM

“THEIR DEATH; doth TENDE MUCH TO THE ADVANCING, AND APPROBATION, OF HER INNOCENCIE *.” As to “a boxe of letters,” he ſays in another place, “taken from one Doughleyſh, who was executed for the Lorde Darleye's death, the Earle's man, forſooth;—a man more then halfe blinde may perfectly ſee and perceave YOUR foule play, foraſmuch as THE VERY SELFE SAID DOUGHLEISH, whom, among other, ye executed and *ridde out of the way*, HATH SAID, AND SUFFICIENTLY DECLARED, FOR THE QUENE'S INNOCENCIE †.” But “as for him that YE ſurmiſe was the bearer of them,” he adds concerning PARIS and the letters, “and whome YOU have executed *of late* for the ſaid murther, HE, at the time of his ſaid execution, TOOKE IT UPON HIS DEATHE, AS HE SHOULD ANSWERE BEFORE GOD; that HE NEVER CARRIED ANY SUCH LETTERS, nor that THE QUEEN WAS PARTICIPANT nor OF COUNSAYLE in the cauſe ‡.” And, as he comprehenſively ſubjoins afterwards, “Wel, we can farther tel you of the greate goodnes of God, and of the mightie force of the trueth: whereby, though YE have WONDERFULLY TURMOILED AND TOSSED, though YE have RACKED and PUT TO DEATH aſwel INNOCENTS;” meaning William Blackader, James Edmonſtone, John Blackader, Mynart Fraſer, and Paris, of whom the firſt and the laſt certainly, and moſt probably all, denied any ſhare in the murder §; “as GUILTIE, YOUR own confe-

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[*] P. 9. [†] P. 16, and 22—23. [‡] P. 19. [§] Keith, 406—407, Goodall, i. 393—394, and Crawford, 41, and 127.

“derats,”

MVSEVM BRITANNICVM

"derats," Hepborn, Hay, Powry, and Dalgleiſhe; "AND OFFRED MANY OF THEM THEIR PARDONS, ſo "THEY WOULD DEPOSE ANY THING AGAINST THE "QUENE: God hath ſo wrought, that, as FOR NO "TORMENTS, NOR FAYER PROMISES, they COULD "BE BROUGHT FALSLY TO DEFAME THEIR MASTRESSE; ſo, without any torments at al, THEY "HAVE VOLUNTARILY PURGED HER, and ſo layed "the burden upon YOUR necks and ſhoulders, that "YE SHAL NEVER BE ABLE TO SHAKE IT OF *."

Nor does this grand fact reſt entirely upon the Biſhop's teſtimony. That indeed would be ſufficient of itſelf. But it is corroborated, and in the whole too, by the concurrent atteſtation of a number of nobles, who equally lived at the very time, and all of whom have put their ſignatures in form to their evidence. "It may be inferrit," ſay the Archbiſhop of St. Andrews, the Earl of Eglington, the Lords Fleming, Glenluce, Sanquhar, and Roſſe, the Earls of Argyle and Caſſils, the Lords Maxwell, Oliphant, and Drummond, the Earls of Huntly, Crawford, and Errol, the Lords Ogilvy, Somerville, and Yeſter, in their inſtructions to the Biſhop of Roſs himſelf, and to the Lords Livingſton, Boyd, Herris, and Kilwynning; "that thay," Murray and his partners in the accuſation of the Queen for the murder, "wer THE DOARIS THAROF "ONLIE, AS WAS DEPONIT BE THAME QUHA SUF"FERIT DEID," death, "THAIRFOIR; quha DE"CLARIT AT ALL TIMES THE QUENE OUR SOVE-

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* P. 77. And ſee Jebb, i. 414, and Crawford 41.

"RANE, TO BE INNOCENT THAIROF:"—and that "hir adverſaris, uſurparis of hir auctoritie, OFFERIT "REMISSIOUN TO SINDRIE, THAT ARE CONVICT "FOR THAT CRIME BE THAME, *gif* thay wald ſay "that *hir Grace was guiltie thairof*; bot offeris "[but theſe offered] to prove THE SEDUCERIS "CULPABILL THAIROF, in quhatſumever manner "thay pleis *."

Camden alſo adds the weighty ſanction of his authority, to all. "Murray," he ſays, "put to "death John Hepborn, Paris a Frenchman, Dagliſh, and other ſervants of Bothwell's, which "were preſent at the murthering of the King." Camden makes a ſlight miſtake here concerning Paris, who was not a ſervant to Bothwell at the time of the murder, and not concerned in the commiſſion of it. "But," as Camden adds, "thay (which "he full little expected) *proteſted at the gallows* "*before God and his angels*; that they underſtood "from Bothwell, that MURRAY and MORTON were "THE AUTHOURS OF THE KING'S DEATH. The "QUEEN they CLEARED FROM ALL SUSPICION."

Camden however goes on in a ſtill higher tone, thus. "BOTHWELL alſo himſelf," he ſays, "being "priſoner in Denmark, MANY TIMES witneſſed, "both LIVING and DYING, with a religious aſſeveration; that the QUEEN was NOT privy thereunto †." It was confidently reported at *this* time," as a cotemporary writer adds, "by *very good men*, and "*many* people of *reputation and honour*; that *during*

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* Goodall, ii. 359, and 361.

† Annals, Tranſ. 97, Orig. 121.

" *his impriſonment* in Denmark, and *at his death*, he " *often* ſolemnly proteſted, that the QUEEN was " WHOLLY INNOCENT OF THE MURDER OF HER " HUSBAND." And, as this author concludes with a very ſignificant and uſeful notice, " her perſecutor " the Earl of MORTONE, when he came to the ſcaffold, was FORCED BY A REMORSE OF CONSCIENCE " TO DO HER THE SAME JUSTICE, and confirm the " words of his dying adverſary *."

Theſe confeſſions, made (moſt of them) ſo openly to the attending multitudes, reported (all of them) ſo openly to us at and near the moment, authenticated by ſuch formal and dignified atteſtations, and aſcending upwards through ſuch a ſcale of witneſſes to ſuch a couple of leaders, carry a wonderful weight with them. They were made by men, who were many of them actors in the deed of murder, attached to Bothwell particularly, and aſſociates in the villainy with Bothwell, Murray, and Morton. They were made even by Bothwell himſelf. And they were even made by Morton himſelf. They were made by all, when they were awfully ſtanding on the very ſhore and beach of time, ſolemnly throwing their eyes acroſs the narrow ocean of death before them, and penitentially preparing for their reception in the regions of eternity beyond. They thus form an energy of evidence, even ſuperiour (I think), if poſſible, to all the conſtructive teſtimonies of hiſtory before. They certainly ſpeak to the underſtanding, in conjunction with theſe, in a voice of power, and with a tone of thunder. And the innocence of Mary, and the guilt of Murray, Morton, and Bothwell, now ſtand upon a baſis as firm as the pillars of the earth, and now appear to the eye as conſpicuous as the arch of heaven *.

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* Crawford, 54—55.

But who elſe were concerned with Bothwell, in ſpringing the mine? He had certainly others. Thoſe indeed were more than ſufficient for the purpoſe. Yet, as Throgmorton informs us on the 18th of July 1567, "the Earl Bothwell's porter," Powrie, "and one of his other ſervants of his "chamber," Dalgleiſhe, "being apprehended, "have confeſſed ſuch ſundry circumſtances; as it "*appeareth evidently*, that he, the ſaid Earl, was ONE "of the PRINCIPAL executors of the murder, IN "HIS OWN PERSON, accompanied with *ſundry*

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* In oppoſition to all this, we have not a particle of *authenticated* evidence, but a depoſition of Crawford's "concerning "certen anſwers made to him by—John Hepburne, and John "Haye, upon the ſcaffold in Edinburgh, inſtantly before their "execution" (Goodall, ii. 257—258). This depoſition is now loſt. We may *preſume* it however, as produced by the rebels, to have been favourable to them. But we have ſeen them produce *another* depoſition of *this very* Crawford's, which on examination has proved unfavourable to them. And, ſo circumſtanced, this cannot have the weight of a feather upon the ſcale. Theſe dying declarations accordingly appear, to have laid open the whole myſtery of iniquity to the loyal party of Scotland, and to have firſt informed ſome of the principals in it, concerning the real murderer. The Biſhop of Roſs, Lord Herris, and the Abbot of Kilwinning, ſay they knew not "quha wer devy"ſaris, inventaris, or executouris, of the ſamin [murder], "quhill it was publictlie revelit lang thairefter, be ſum of the "executouris quha ſufferit deid [death] thairfoir" (Goodall, ii. 308.)

"*others*;

" *others*; of which number I cannot yet certainly " learn the names, but of three of them, that is to " ſay, two of the Ormiſtons of Tividale, and one " Hepburn of Bolton *." Bothwell, therefore, was one of the principal executors of the murder. Who were the reſt? The two Ormiſtons and Hepborne. But there were others alſo, it ſeems. Three of theſe we know to have been Archibald Douglas, John Binning, and Thomas Gairner. Others were very probably Mr. David Chambers, and Mr. John Spence, the former of whom was a ſervant of Bothwell's, and the latter one of the Queen's two advocates; both of whom were expreſsly named as committers of the murder, in the papers affixed to the door of the tolbooth, &c.; and the latter was even mentioned, as "principal deviſer" of it †. Indeed the preſence of theſe or of the Earl, the preſence of his ſervants, or the preſence of Douglas and his ſervants, were no otherwiſe requiſite; than to ſee that the deed was thoroughly done, and to pledge their ſalvations for a ſhare in it. Boncle alone might have ſufficed, for laying the train, and ſetting fire to it. And the deſperate reſolution of theſe wretches, their determinedneſs to give a deciſive efficacy to their meaſures, is very apparent in the force of their mine, and in the violence of its exploſion. The whole building was heaved from its very foundations, by the ex-

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[*] Goodall, i. Pref. xvii, and Robertſon, ii. 377.

[†] Anderſon, ii. 7, 97, and 156.—John Spence alſo became a rebel with them afterwards (Keith, 452, and Goodall, ii. 370).

panding power below. All the parts of it were then burſt aſunder, torn to atoms, or carried to a conſiderable diſtance. Not one ſtone remained upon another. The very ground and corner ſtones, were either diſlodged by the blaſt, or reduced to rubbiſh by their reſiſtance. The King, and the ſervant who ſlept in his chamber, as lying in one of the upper rooms of the houſe, were not torn to pieces by the powder; but carried over the wall of the town, and lodged in an adjoining garden. When the houſe was heaved off from its foundations, it would inſtantly deſcend in ruins upon the heads of its inhabitants. It did ſo upon two men in the room oppoſite the King's, or in the great gallery contiguous to the room; and alſo upon one of the men, and a boy, in the little gallery: and killed them all. Yet both the King, and his immediate attendant, aſtoniſhingly eſcaped this ſeemingly unavoidable part of the deſtruction. The raiſed houſe was ſettling back in fragments, into its former ſtation. But the powerful and confined principle within, now gaining a vent by the ſeparation of the parts; it burſt out on every ſide, and ſwept all before it. The King and the ſervant were whirled away, with the materials of the houſe. Even ſo, they aſtoniſhingly eſcaped any perſonal injury from them. They were both found in a garden, at ſome diſtance on the outſide of the city-wall, without the ſlighteſt contuſion upon them. Had they fallen upon water, they would probably not have been killed. Even one of the ſervants who ſlept in the little gallery, by having the end wall of the houſe come betwixt the King's chamber and the gallery; and by lying alſo himſelf cloſer to the city-wall perhaps, than the others in the gallery; and ſo miſſing the principal ſhock of the ſtorm, at its eruption; was able to diſengage himſelf from the ſlighter ruins, that killed the others, but only covered him; to ſtand upon a broken part of the wall, till the people came running to his help; and to eſcape unwounded from the whole. And both theſe incidents are the more extraordinary, as ſome ſtones of the building, even ten feet in length and four in breadth, were thrown by the violence of the exploſion, into gardens at a great diſtance *.

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* Keith, Pref. viii, Goodall, ii. 241, and 245, Melvill, 78, Anderſon, i, 36, Crawford, 13—14, Hume, v. 109, and an engraving of Vertue's from two paintings at the time, each the counterpart of the other (ſee 1. 4. 2). This duplicate painting takes up the rebel tale of the day, that the King was ſtrangled inſtead of blown up. See Crawford, 13, Melvill, 78, Knox, 404, &c. And it then adds, "poſt cædem *in horto* re-"periuntur proſtrati."—But let us aſcertain the exact ſcene of all this villainy.

The houſe at Kirk-a-field is deſcribed in a record of the time, as "ſumtyme callit *the loging of the proveſt of Kirk-field* "*beſyde the ſamen*;" as belonging lately to the collegiate church of St. Mary, as ſtanding near it, and as the houſe of its provoſt (Keith, 409, and 364). But it undoubtedly belonged to him, and to his clerical aſſociates, together. He was the ſuperiour of ten prebendaries (Arnot's Edinb. 243). The houſe, which could receive a king, would be too large for a provoſt alone; eſpecially, in the ſtate of celibacy, then impoſed upon eccleſiaſticks every where; and in the confinedneſs of lodging, then prevailing peculiarly among the Scotch. And, if this had been appropriated to the provoſt, there muſt have been, what

SECTION VII.

SUCH, in its principles and circumſtances, was this horrible burſt of human inventiveneſs and human

there was not (Detection, 67, Anderſon, and 260, Jebb), another houſe adjoining for the prebendaries. It is therefore denominated expreſsly by Buchanan, "ane hous quhilum of auld "preiſtis," or "veterum ſacerdotum ædes" (67, and 260). In this then, and in a collegiate ſociety within it, lived before the late reformation the provoſt and his ten prebendaries, the united miniſters of the neighbouring church of St. Mary. The church and its houſe were *without* the walls of the city, when they were firſt erected. The church therefore, like our own St. Martin's in London, very naturally took the diſtinguiſhing appellation of KIRK-A-FIELD, or St. Mary's in the fields. And it retained the appellation as naturally as that does, when it was afterwards incloſed within the city. The *new* direction, which was given to the wall in order to incloſe it, is apparent to this day. The *Potter-row Port* was originally denominated the KIRK-OF-FIELD PORT, from its vicinity to the church (Arnot's Edinb. 237—238). "The wall runs eaſt," ſays Mr. Arnot, "till it is interſected by the Potter-row Port; FROM "WHICH it goes *ſouth* for a *few* yards; then, TURNING "ABRUPTLY, winds its courſe on the ſouth ſide of *the college*, "the *royal infirmary* and *high ſchool* yards, till it comes to the "Pleaſance. Then it takes a *northern* direction" (Ibid. 236). This ſhews at once the general poſition of the church, and the particular extenſion of the walls to take it in. The church appears from the name of Kirk-a-field Port, to have ſtood upon the ſite of the college; and the houſe of its clergy, muſt have ſtood at no great diſtance from it.

Yet what was the peculiar ground of it? Mr. Goodall, i. 323—324, places it "hard by where the royal infirmary now "ſtands." Dr. Robertſon, i. 399, with more appearance of preciſion, ſays, "it ſtood almoſt upon the ſame ſpot, where the "houſe belonging to the principal of the univerſity," and inhabited man malignity! Well might the privy counſellors of Mary "wonder, at the ſtrangenes of the "mater,

habited by the Doctor himſelf, "now ſtands." It ſeems very extraordinary, that ſuch a houſe, and ſo recent an one, ſhould be ſettled at two ſuch different points of ground. But let us ſee Buchanan's topography for it. "Hard by," he ſays, "yair "wer the rowmis of twa kirkis; on the eiſt-ſyde, ane mo- "naſterie of Dominike freiris: on the weſt, ane kirk of our "Lady, quhilk-is callit *ye kirk in the field:* on the ſouth-ſyde, "the *towne-wall,* and in the ſame, for commodious paſſage "every way, is *ane poſterne-dure:* on the north-ſyde, are ane "few beggaris cotages," which in another place he calls "ane "few almous-houſis for pure beggaris," and which were aſſuredly the *almonry* of the clerical houſe, the place at which the alms of broken meat from it were diſtributed to the poor. "THAIR IS NEVER ANE UTHER HOUS NEIR, bot THE "HAMMILTOUNIS HOUSE, quhilks is about ane ſtanis caſt "diſtant" (Anderſon, ii. 67, and 18; Jebb, i. 260, and 243). This gives us ſuch plain marks for ſettling the ſite, that one ſhould naturally ſuppoſe it impoſſible to be miſſed. On the weſt was the church, on the eaſt the convent, and the houſe between them; having the town-wall cloſe to it on the ſouth, and Hamilton-houſe at ſome diſtance from it to the north. But theſe marks are all vaniſhed, it ſeems. The examining and thinking Mr. Arnot notices them not. The convent is fled. The church is levelled. And we ſeem to have no ground to ſtand upon.

Yet we can ſtill trace the ſite. The Dominican convent was called BLACK FRIERS. The BLACK FRIERS WYND, therefore, was the ſtreet leading down to it. This was alſo the uſual avenue of acceſs, from the eaſtern parts of Edinborough to Black Friars and to Kirk-a-field. "As yay came up the Black "Frier Wind," ſome of the murderers are made to ſay concerning their return, from Black Friers Yard and the back of Kirk-a-field towards Holyrood-houſe; "the Queen's Grace "was gangand before yame" from Kirk-a-field, "with licht

"torches"

"mater, ſic as never was hard of, and incredibill *." Well might the Queen cry out, in her letter of the very next day; "the mater is horible and ſa ſtrange, "as we believe the like was never hard of in ony "country †." A plot ſo diabolical, indeed, had never

"torches" (Anderſon, ii. 167). This ſhews the convent to have ſtood on the ground facing to, and to the ſouth-eaſt of, the bottom of Black Friers Wynd, on the ſite of Lady Yeſter's Chapel, the high ſchool, the ſurgeon's hall, and the royal infirmary. The buildings occupied only a ſmall part of this ſpace. The walks and gardens ſpread over the reſt. And Kirk-a-field-houſe ſtood ſomewhere on the ground between the college and the ſurgeon's hall; wherever it was in this interval, *at* the infirmary, or on one *ſide* of it, that the ſite of Black Friers ended, and the line of Kirk-a-field began; bruſhing up cloſe to the town-wall at one end, facing its own church on the weſt, and having its garden running behind to the eaſt. A part of Hamilton-houſe, I believe, is ſtill remaining in COLLEGE-WYND. There, is a room of an ancient building, which, from the inſcription over the arched door, was plainly a chapel, but is now converted into a brewery. The inſcription is in Gothick characters, *Ave Maria, gratia plena, Dominus tecum* (Arnot, 244). This building is ſuppoſed to be a relick of the convent. But it cannot be. The convent was all to the eaſt of Kirk-a-field-houſe. Nor had the latter any building ſo near it on the north, except Hamilton-houſe. And this is therefore a part of it.

But we may come much nearer to the ſite yet. One ſingle circumſtance will lead us to it. There was a paſſage, we muſt remember, through the cellar of the houſe and the wall of the town, into the fields. "On the ſouth-ſyde," ſays Buchanan before, was "the TOWNE-WALL; and in the ſame, for comnever been heard of before, in any of the regions of Chriſtendom. But it was ſoon heard of again in England. The ſame plot, with a more diabolical comprehenſiveneſs of deſign, but happily with leſs ſucceſs in the iſſue, was formed about eight-and-

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* Anderſon, ii. 24. † Keith, Pref. viii.

“modious paſſage every way, is ANE POSTERNE-DURE.” Thomas Nelſon alſo ſpeaks of “that DOOR, quhilk paſſed through “the SELLAR and the TOWN-WALL” (Goodall, ii. 244). Now this ſhould be naturally our mark. The town-wall is ſtill ſtanding in its original ſtate. And, upon a ſtrict examination of it, it will preſent the traces of this poſtern-door to the eye, and ſo point out the very poſition of the houſe at once.

I accordingly ſtated theſe arguments in a letter to Mr. Arnot, and requeſted him to examine the wall in this interval for me. He did ſo. And he found the poſtern-door, as I expected. The appearance of it is very plain. It is not at the college, as Dr. Robertſon fixed the houſe. It is near to the infirmary, as Mr. Goodall thought the houſe to be. The marks of the cloſed opening in the wall, are ſouth of the infirmary, but about ſixteen or ſeventeen feet to the weſt of the ſquare tower, or cupola, in the center of it. The jambs and lentill of the door ſtill remain. The upper part of the door-way, however, forms an arch, though a very flat one. The width of the whole is only about three feet. And the height is only two above the paved foot-road, which now runs along the ſouthern foot of the wall.

Here then ſtood the very houſe, in which Darnly was murdered. Here too was the very opening, through which the murderous wretches went in to dig the mine, lay the train, and ſet fire to both. This was the memorable ſcene of that ſuperlatively enormous villainy. Every mind, that has the general ſenſibilities of curioſity about it, and feels them drawn to a point by the intereſt which it takes in the hiſtory of Mary, naturally wiſhes to aſcertain the ground of ſuch an aſtoniſhing tranſaction. And I feel a pleaſure, in having been able to gratify myſelf and my reader by doing it.

thirty years afterwards. The Scotch was plainly the parent, and the Engliſh the child.

Improbus ille puer, crudelis tu quoque mater.

And Britain has had the misfortune to receive from her diſſenters in religion, her fanatical preſbyterians upon one ſide, and her equally fanatical papiſts on the other, ſuch a *double* ſtain of infamy on her character; as no other country of Chriſtianity has ever received even *ſingly*, and as will remain upon her in the records of time for ever.

From that accurſed deed of darkneſs in Scotland, were derived all the complicated miſeries of Mary's future life. The original projectors of it, Murray, Morton, and Lethington, inſtantly endeavoured by every ſecret artifice, to blaſt the reputation of Mary for it; to exhibit her as an adultereſs, and as a murderer, to the publick; and to trumpet her diſgrace in the iſland, and on the continent. They then took advantage of their own impudence of calumniation. They raiſed a rebellion againſt her. They ſtripped her of her crown, and threw her into priſon. They had thus diſabled her compleatly, from defending her honour. They therefore began to batter upon it in form, with ſome helliſh engines of their own forgery. And they pretended to convict her in form of a fact, of which they knew *themſelves* to be guilty. So high did the impiety of ſanctified knavery aſcend, in Scotland! But it aſcended ſtill higher in England. There Elizabeth, equally with them an original projector of the murder probably, broke *at once* through all the ties, that *villainy generally reſpects in its loweſt ſtage of profligacy*; plighted faith and confiding generoſity. She did even more. She inveigled Mary by preſſing aſſurances of friendſhip, into a conference with her rebels. She then turned it into a JUDICIAL TRIAL. She turned it into a trial of MARY HERSELF. She ſecretly puſhed forward the moſt horrible accuſations againſt her. She openly patronized them. She ſupported them in their lameneſs. She invigorated them in their weakneſs. And at length ſhe *compleated* her courſe of confederacy with the wretched band of murderers, and of malignity againſt the honourable *character* of Mary, by publiſhing the known forgeries as genuine writings; and ſo opening a new ſource of calumny againſt Mary, which has continued to burſt forth with violence ever ſince, and had lately ſpread its poiſoned waters from one corner of the kingdom to the other.

Yet let it be finally remembered, as ſome alleviation of cenſure, that neither Elizabeth nor Murray meant all this. They meant merely to ſerve a temporary purpoſe. They principally and ultimately wanted, to *compel* her into a *voluntary* reſignation of her crown. This was the utmoſt projection of their guilt in *deſign*, though in *reality* it was carried ſo much farther. What carried it ſo far; and loaded the ſouls of both with an addition of criminality, which they never had in contemplation; has been the wild credulity of the times ſucceeding. Theſe ſaw not their drift, while they beheld their practice. Theſe imagined the joint accuſers of Mary to be *ſerious* in their charges, when they intended only to *frighten* by the ſound of them. And thus, what was merely a political device for the moment, has been turned by factious folly, into an inſtrument of miſchief for many generations.

It is painful to a generous mind, to ſee ſuch arts ſuſtained by ſuch credulity, and both triumphing ſo long over the fame of Mary. But ſo it will often be in a world like this. "This world was made "for Cæſar." The Elizabeths and the Murrays, the children of artifice and of violence, will generally be the heroes and the heroines of the maſs of mankind. And the honeſt, the generous, and the confiding, will be dupes to the villainy of thoſe, and victims to the ſimplicity of theſe. But a period *may* come, SUCH AS HAS COME IN THIS VERY BUSINESS, when facts will be weighed againſt aſſertions, when characters will be aſcertained by the ſtandard of hiſtory, and when the villain will be expoſed and the worthy be vindicated. Yet, ſhould it *not* come, we may wait in holy hope for that hour of univerſal judgment, which the ſufferings of Mary have repeatedly preſſed upon my mind. Then artifice can no longer fabricate calumnies, and credulity can no longer continue them. Then the Maries, the Murrays, and the Elizabeths, will paſs once more in review before us; but in a manner infinitely ſurpaſſing all human trials. The examination will be made by HIM, who cannot be baffled in his ſagacity. The ſentence will be pronounced by Him, who cannot be miſtaken in his judgment. And the honour of Mary, I am convinced, will then be aſſerted with a particularity of notice and in a tone of deciſiveneſs, in ſome meaſure proportioned to her unparalleled ſufferings; to the dreadful inflictions, which ſhe underwent from the oppreſſions of her perſecutors in her perſon; to the more dreadful ſtabs, which ſhe received from the knives of her aſſaſſins in her reputation; and to the ſtill more dreadful wounds, which, from the eaſy affiance of the world on ſlanders, have been rankling and feſtering there, through the long period of two ages ſince.

CONCLUSION TO THE WHOLE.

HAVING now attended the ſonnets, contracts, and letters, through all their diſcernible varieties of fortune; let us juſt perform the laſt offices to them, and ſee them quietly interred in the grave of time.

On their flight from London in January 1569, they and their containing coffer accompanied Murray into Scotland. In his cuſtody they ſtill continued. By his formal receipt in privy council indeed, upon the 16th of September before; he "*upoun his honour* faythfullie promittis, that the "ſaid haill letteris and writtingis ſal be alwayis "readie and furthcumand to the—Erle of Morton," who pretended to take them from Dalgleiſh, &c.* But, though he promiſed, he did not perform. Yet let him not be charged with any violation of his honour. "A certain knight," ſays the clown in Shakeſpeare, "ſwore *by his honour* they were good "pancakes, and ſwore *by his honour* the muſtard "was naught; now, I'll ſtand to it, the pancakes

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* Appendix, N° iv.

"were naught, and the muſtard was good, and *yet* "*was not the knight forſworn*:—if you ſwear by that "that is not, you are not forſworn; no more was "this knight, ſwearing by his honour: FOR HE "NEVER HAD ANY, OR, IF HE HAD, he HAD "SWORN IT AWAY, BEFORE EVER HE SAW THOSE "PANCAKES OR THAT MUSTARD." Murray kept the box and its contents in his own poſſeſſion, during the reſt of his life. And at the ſudden and horrible termination of his life, in January 1570, they paſſed away into the hands of his ſervants. By the negligence of the man who knew them ſo well, and had made ſo good a uſe of them, they were left to the care of mere ſervants.

Under that care they continued for ſeveral months. Morton, and Lethington, ſeem not to have taken the ſlighteſt concern about them. They knew them as well as Murray. They therefore neglected them as he did. But Lenox, who returned not into Scotland till the May following, and was unacquainted with the forgery of them, very naturally conſidered them in another light. Armed with the power of the kingdom, under the title firſt of a lieutenant, and then of a regent; he wreſted them out of the mean hands, in which they had been left ſo long. He even ordered them to be formally copied. He authenticated his copies by his own ſubſcriptions, and the ſubſcriptions of his privy counſellors. And he retained theſe in his own poſſeſſion, while the originals travelled up to London again *. There another conference was appointed by Elizabeth, for ſettling the affairs of Mary and her kingdom. It was only one of the many engines of hypocriſy, which, at any ſudden emergency in her politicks, ſhe directed againſt the unhappy Queen. Morton was appointed one of the rebel commiſſioners, for this mock-conference. And he was to take the important caſket with him, and, if there ſhould be any occaſion, to uſe the papers in it againſt Mary. He accordingly gave a formal receipt for them in privy council, as Murray had done before. On Jan. 22, 1571, he "promeiſt and obleiſt him," ſays the privy council, "to bring agane and deliver the ſaid box and principal letteris to the ſaid Lord Regent, at his "returning from this preſent legatioun *." Thus equipped, he ſet forth. Thus equipped, he returned too. He returned ſoon. But he reſtored not the papers to Lenox. He acted juſt as Murray had acted before. He kept them in his own poſſeſſion. He kept them, even though he was not regent as Murray was; and though he had bound himſelf to reſtore them to Lenox, "at his re-"turning from his preſent legatioun." And he attended ſtill leſs than Murray, to the perpetual preſervation of them.

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* Appendix, N° iv.

By this conduct, firſt adopted by Murray and then copied by Morton, the papers were taken out of that publick cuſtody, in which they would moſt probably have been ſafe to the preſent day; and committed to that private, broken, and fortuitous

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* Appendix, Nº iv.

guardianſhip,

guardianſhip, in which they were pretty ſure to periſh at laſt. Neither Morton nor Murray, who knew them beſt, choſe to depoſit them among the publick records, and ſo ſubmit them to publick inſpection. They thought it beſt, to retain them in their own tuition. And they acted wiſely in ſo doing. When the Egyptians conſtructed a magnificent temple to a monkey, had they been prudent enough to forbid the entrance of the profane into it, the baboon might have paſſed for a god.

The papers accordingly remained in Morton's poſſeſſion, to the day of his death, June 2d, 1581. They were then conveyed privately and clandeſtinely, by the baſtard ſons of Morton *, to one of the original conſpirators with him againſt Mary; even to that Lord Ruthven, now Earl of Gowrie, who was heir to the principal aſſaſſin of Rizzio, and actually concerned himſelf in carrying the Queen to Lochlevin. They were conſidered as the ſacred palladium of rebellion; as the holy image, which was only to be ſeen by the prieſts of anarchy, and on the keeping of which from the general eye, depended the fate of the whole empire of miſ-rule. For this reaſon, Gowrie was unwilling to own that he had them. He was ſtill more unwilling to part with them. He was urged by Elizabeth's embaſſadour. He was ſolicited by James's prime miniſter. The miniſter had a curioſity to ſee them. The Queen wanted to turn them again upon Mary. And Gowrie would not part with them to either †.

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* Crawford, 371, and Moyſe, 51.

† Robertſon's Diſſ. 42—46.

At this period of their hiſtory, King James knew of their exiſtence, and of the hands in which they exiſted. Yet he never offered to force them away [*]. He left them to continue there unmoleſted. But they did not continue long ſo. That buſy period of plots would not ſuffer them. In 1584 Gowrie received the puniſhment from James, which he had long merited from Mary. And the papers ſeem to have been then transferred to a man, who was worthy to be entruſted with the charge, who was nephew to Morton, and had been recently a conſpirator and a rebel with Gowrie; the Earl of Angus [†].

But the neceſſary ſeaſon of concealment, muſt now have been nearly elapſed. All the great actors upon the ſcene, had ſucceſſively diſappeared from it; and had gone to lodge in the boſom of eternity, for that reviſal of their actions, which OMNISCIENCE will execute, and OMNIPOTENCE will ratify, in the ſight of all the world. The intereſts of ſurvivors were leſs engaged, in the ſpuriouſneſs or the authenticity of the papers. And the care, which had incidentally preſerved them hitherto, by taking pains to conceal them from the publick, would now be relaxed, as the reaſon was removed. Accordingly, they appear to have been no longer tranſmitted from one hand to another; and, when the aſſaſſin or the executioner had cut ſhort the life of their preſent proprietor, to have inſtantly migrated with the ſoul of rebellion, to ſome other child of election. At the death of Angus, they reſted peaceably with the

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[*] Robertſon's Diſſ. 46.

[†] Goodall, i. 35—36.

Douglaſes. The transferrible feud now ſettled into an inheritance. And the wandering palladium of Troy, became ſtationary in the forum of Rome. "I find," ſays Mr. Goodall, "an anonymous hiſ-"torian, *who wrote about the reſtoration of King* "*Charles II*, *affirming*; that the box and letters were "*at that time* to be ſeen, *with the Marquis of Dou-*"*glas* *."

Yet where are they at preſent? Hic labor, hoc opus eſt. In the recent days of Mr. Goodall, they were ſuppoſed by ſome to be ſtill in the family of Douglas. But they were reported by others to have been ſeen at the Duke of Hamilton's †. The Hamiltons had then, by the termination of their line in an heireſs, become Douglaſes. Yet the contradictorineſs of the report and the ſuppoſitions, ſhews the uncertainty of both. And the non-appearance of them ſince, evinces both to be falſe. A conteſt has been ſince maintained concerning them, with peculiar vivacity and vigour. The whole nation has ſtood by, attentive to the iſſue. The houſe of Hamilton, and the family of Douglas, have intereſted themſelves, no doubt, equally with all the reading and hiſtorical part of the nation; and muſt have produced the papers, if they had them in their own poſſeſſion. No longer employed in the turbulence of war, the Douglaſes and the Hamiltons have leiſure to ſuperintend the conteſts of literature; to conſider them as equally important now, with an inroad or an inſurrection formerly; and to be as ready as ever, to mingle in the fray. Indeed the papers are too ſingular in their nature, and too diſtinguiſhed in their hiſtory, not to be known wherever they are found. And the caſket, in which they were originally repoſited, and with which, in all probability, they have always travelled; being "ane "ſmall gylt coffer, not fully ane ſute lang," and "being garniſchit in ſindrie places, with the Romane "letter F under ane Kingis crowne *;" is an object, impoſſible to lie unnoticed in any library.

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* Goodall, i. 36.

† Ibid. ibid.

They *may*, however, have been ſeparated from their original vehicle. They *may* alſo be kept concealed by that ſpirit of party, which originally withheld them in England and in Scotland from the eye of examination, and of which the ghoſt is ſeen to haunt us ſtill at times. Or they *may* have periſhed in that ſweeping fire, which in December 1758 conſumed the caſtle of Douglas, the ſeat of the Earl of Angus in 1581, the ſeat of the Marquis of Douglas in 1660; and conſumed with it the greateſt part of the furniture, paintings, and *papers* in it. But we need not be anxious for their appearance. Their fate has been already pronounced. They are proved to be forgeries, by all the poſſible modes of trying them. The INTERNAL, the EXTERNAL evidence; their variations in SUBSTANCE, their variations in FORM, their variations in WORDS, and their variations even in LANGUAGE; the hiſtory of the REBEL CONDUCT, the hiſtory of ELIZABETH'S PROCEEDINGS, at the conferences in England concerning them; their CONTRADICTIONS TO FACTS, their REPUGNANCES TO COMMON-SENSE, their INCONSISTENCES WITH ALL CHRONOLOGY, and their violent OPPOSITIONS TO THEMSELVES AND TO EACH OTHER; all ſhew them to be ſorgeries, with an accumulative weight of teſtimony. And, in this ſtate of the papers, what purpoſe could the appearance of the originals ſerve?

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* Anderſon, ii. 92.

Mr. Hume indeed, and Dr. Robertſon, but the latter more faintly than the former, have been weak enough to inſinuate; that they were deſtroyed by King James *: as if thoſe, who always kept back the originals from view, were not the only perſons likely to deſtroy them; as if, at their *firſt* appearance, the papers had not ſhamefully ſkulked from inſpection awhile, and infamouſly fled away at laſt to avoid it; and as if they would venture to be more bold and daring, at their *ſecond* appearance. Elizabeth probably was alſo weak enough to think, or artful enough to inſinuate, they would be ſo treated by him; when ſhe endeavoured to recover the fugitive pieces, that ſhe had ſo readily diſmiſſed before. And ſhe and our two hiſtorians were influenced undoubtedly to think or to hint ſo, from the ſame principle operating more or leſs vigourouſly in all; from their eagerneſs to ſtrike, their inability to wound, and their promptneſs to catch at any void of hope, that ſeemed to promiſe a more deciſive blow. But, were the originals before the publick at preſent, they could not recall the proſcription, that has gone out againſt them and the copies. They might aid the arguments for it; but they could not weaken them. They might add one more reaſon, to the many already adduced againſt the papers; and prove to thoſe who were criticks in the hand-writing of Mary, that they were *not* written by her. This I doubt not but they would prove. The ſteady refuſal of Elizabeth to let them be ſeen; and the repeated hints in the letters themſelves, of their being badly penned; very plainly concur in ſhewing they would. And THE ONLY ONE of theſe papers, which is known to exiſt IN THE ORIGINAL at preſent, the firſt contract, HAS DONE SO ALREADY FOR ITSELF. But then this evidence would form a very ſmall addition, to the general teſtimony. From its nature, it muſt be confined to a few. And, in the mean time, the other evidences are addreſſed to the underſtandings of all, muſt be felt in the convictions of all, and will be acknowledged by the tongues of all.

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* Hume, v. 148, and Robertſon, Diſſ. 46.

The comet, that gleamed ſo formidable to the eyes of our fathers in 1682, and ſpeedily ſhot back into thoſe wilds of ſpace, from which it had come forward to their ſight; was long expected to appear again. Some were even credulous enough to ſuppoſe, that it would then do what it had not done before; that it would come much nearer to the orbit of the earth, and ſet fire to the world. It accordingly appeared, *as we are told*, about ſeven-and-twenty years ago. But how different was the real, from the threatened, appearance; and even how much feebler was its ſecond aſpect, than its firſt! It was no longer a meteor,

> —— that from its horrid hair
> Shook peſtilence and war.

It no longer carried an awful terrour with it, as it ſailed with its long train of flames, over the heads of the gazing nations. The mighty comet was ſhrunk up, into a petty ſtar. The vaſt orb, that was to ſwallow up the earth in its fires, *could only be ſeen by a teleſcope*. Aſtronomers ſurveyed it with ſome attention. But, to the reſt of mankind, it was *an inviſible point of light*. And the generality of the world very naturally agreed, therefore, to laugh at the comet, the ſuppoſers, and the ſurveyors, all united together.

APPENDIX.

APPENDIX.

I THINK it proper to annex to the whole, the principal of thoſe paſſages in the original papers, upon which I have founded the main parts of my Vindication preceding. Every work ſhould be compleat in itſelf,

> In ſeipſo totus teres atque rotundus;

if it can be made ſo, conſiſtently with any attention to its ſize. I have therefore referred to thoſe paſſages here, in the courſe of the work before. And I ſhall now ſubjoin ſome diſſertations to them, in order to elucidate a few points additional in the clouded hiſtory of Mary, to aſſert ſtill farther the inſulted intereſts of truth, and to maintain ſtill more the violated rights of innocence.

Nº I.

ACT OF SECRET COUNCIL.

" Apud Edinburgh, quarto die menſis Decembris,
" Anno Dom. 1567."

N. B. As there are ſome variations between this and the next record, I have marked them with Italicks in both. And I have broken both into paragraphs.

" The which daie my Lorde Regentis Grace, " the Lordes of Secrete Counſale, and uthers, Baronis, and men of jugement above written, being convenit in counſale: it was proponit unto " them, that the parliament now approchis, wheirin the cauſe of the apprehenſion and reteninge " of the Quene, our Soverane Lords moder, mon " be debaitit, reſſonit, and tryit; and it ſound and " declarit, qhither the noblemen and others, " quhilkis tuke armes before the ſaied apprehenſion, and whiche joyned with them and aſſiſted " them at that time or ony wiſe ſenſyne, has donne " the dewetie of noblemen, and ſubjectis, and nawiſe offendit nor tranſgreſſit the lawes in that " *fact*, or anie thing depending thiron, outher preciding or followinge the ſame, *or not*; and in " caiſe it be found, that they have not offendid, " but done their dewtie, how and be what meane " a full and perfect law and ſecuritie maie be ob-

" tanit and maid for all them, that other be deid, " counſale, or ſubſcription hes enterit in that cauſe " ſen the beginninge.

" The matter being largelie and with gud deli" beracion reſſonit at great length, and upon ſon" dry daies; at laſt all the ſaied Lords, Barronis, " and others above expremit, can find no other " way or moyen how to find or make the ſaied " ſecuritie, but be oppynynge and reveling of the " trewth and grund of the haill matter fra the " beginninge plainlie and uprichtlie, quilk (in ſa " far as the manifeſtation theirof maie tend to the " diſhonor or deſeſtimation of the Quene) they air " maiſt loith to entre in, for that luif they beare " unto hir perſon, wha ſomtime was theire Sove" raine, and for the reverrence of his Majeſtie, " whais moder ſhe is, as alſua thay mony gude " and excellent gifts and virtues quharewith God " ſometimes indowit hir, gif otherwiſe the ſinceri" tie of their intentions and procedings from the " beginninge myt be known to forrein nacions, " and the inhabitantes of this ile (of whome mony " yit remains in ſuſpence in judgement) ſatisfiet " and reſolvit of the richtneſneſs of theire quarrel, " and the ſecuritie of them and theire poſteritie be " ony other meane myght be providit and eſta" bliſhed.

" But ſen God will ſuffer no wickidnes to be " hid, and that all actions, otherwiſe foundat nor " on the ſimple and nakit treweth, what apperance " that evir they have, has na continewance nor " ſtabilitie;

“ ſtabilitie *; theirſore the Lords of Secrete Coun-
“ ſale, Barronis, and men of judgement above ex-
“ premit, deſires it to be found and declarit be
“ the eſtates and haill body of the parliament, that
“ the cauſe and occaſion of the *previe* conven-
“ ſionis and meſſages of the Erles, Lords, Noble-
“ men, and Baronis, and others faithfull and trew
“ ſubjects; and conſequentlie theire taking of armes,
“ and cominge to the fields with oppin and diſ-
“ plait baneris; and the cauſe and occaſion of the
“ tacking of the Quene's perſon upon the 15th
“ daie of Junii laſt bypaſt, and holding and de-
“ teininge of the ſame within the hous and *place*
“ of Lochlevin continewallie ſenſyne, preſentlie,
“ and in all tymes comyng; and generallie all
“ other things inventit, ſpokin, writtin, or donne
“ be them or anny of them, ſen the tent daie of
“ February laſt bypaſt (upon quilk daie umqle
“ *King Henrie*, the Quene's lawfull huſband, and
“ our Sovereine Lord the King's deareſt father,
“ was ſhamefully and horiblie murtherit) unto the
“ daie and date *heirof*, toweching the ſaied Quene
“ hir perſon; that caus, and all things depending
“ theiron, or that anie wiſe maie apperteine their-
“ to, the intromiſſioun *with the* diſponinge upon
“ hir propertie, caſualties, or *other thing whatſoever*
“ perteining, or myght pertene, to hir; wes in the
“ ſaied Quene's awin default, in a [as] far as be
“ DIVERS HIR PREVIE LETTRES WRITTIN AND

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* What a double hypocriſy have we here!

" SUBSCRIVIT WITH HIR AWEN HAND, and ſent " by hir to James Erll Boithwell, cheiffe executor " of the ſaid horrible murder, awell [as well] be" fore the comitting theirof as therafter, and be " hir ungodlie and diſhonorable proceadinge *in* a " *priveit* mariage ſoddanlie and unproviſitlie yar" efter, it is moſt certeine, that ſhe was previe, " art and part, *and* of the actuall deviſe and deid " of the foir-*mencionit* murther of the Kinge, hir " lawchfull huſband, our Sovereine Lorde's father, " comittit be the ſaid James Erll Boithuill, his " complics and partakers; and theirfore juſlie de" ſervis whatſoever hes bin *attemtit or ſhal be uſit* " *toward hir* for the ſaid caus.

" Whiche murtheir although be mony indirect " and colorat meanes ſhe and the ſaied Erll zaid " about to collour, and to hold bak the knowlege " of the trewith *theirof*, yit all men in their harts " were fully perſwaided of the authors and deviſers " of that miſchevous and unworthie fact, awaiting " quhill God ſuld move the harts of ſom to en" ter in the quarrell *of* reveng of the ſame; and, " in the meaine time, *a* great part of the nobilli" tie, upon juſt feire to be handillit and demanit " in ſeamblable manner, as the King had bene of " befoire, perſaivinge the Quene ſo thrall and *bludy* " affeccionat to the privat appetite of that tyran, " and that ſhe and he had conſpired togider ſic " horrible crueltie*s*, being theirwith garnyſit with " *a* companie of ungodlie and vicious perſons redy " to accompliſhe all theire unlawchfull commaund" ments, of whome he had a ſufficient nomber

“ continewallie awaiting upon him for the ſame effect; all noble and vertuous men abhoring theire *traine* and companie, but chiefly ſuſpecting that they, who had ſa treſſonablie put doune and deſtroit the father, ſuld make the innocent Prince, his only ſonne, and the principall and almoſt onlie compfort ſent be God to this afflictit nacion, to taſt of the ſame coupe, as the mony inventit purpoſes to pas where he wes, and where the noblemen *in that opin confuſion prevelie repoſit themſelfs*, gave ſufficient warning and declaraccion.

“ Quheirfore the ſeid Erlls, Lordes, Barronis, and utheris faiethfull and trewe ſubjects, taking armes, or otherwiſe whatſumever joyning and aſſiſting in the ſaid action, in the ſaid convencionis, *taking armes*, diſplaing *of* banners, coming to the feilds, taking and reteining of the Quene's perſon, aſwell in times bypaſt as heirefter, and all other things *movid* or done be them or anie of them touching that caus, and all things depending theiron, or that oniewiſe maie apperteine theirto; the intromiſſion *with* or diſponinge upon hir propertie, caſualties, or other things whatſomever perteining or myght perteine to hir; wes *awnterlie* [aluterlie] in default of hir ſelfe and the ſaied Erll Boithuill, and be the horrible murther *and crueltie* of our Soverein Lord's father, conſpirit, deviſit, comittit, and concelit be them, colorit, and not condignlie puniſt, be them *and theire perfitt counſale*: and that the ſaied Erles, Lords, Barronis, and

“ others *faithfull and trewe* ſubjects, convenit at
“ ony convencions efter the ſaied murther, for
“ furthering of the triall theirof, and als they and
“ all others that weire on the filds, tuke armes,
“ *tuke*, held, kepit, *and* detenit, preſentlie holds,
“ keipis, *and* detens hir perſon, or ſall heirafter, or
“ that hes joynit and aſſiſtit them in that quarrell
“ *ſenſyne*, and towching the haill premiſſes; ar, wer,
“ and ſhall be, innocent, fré, and quit of the ſame,
“ and of all accion and cauſe, criminall *or* civile,
“ that maie be intentit or perſewit agains them
“ or anie of them theirfore, in time cominge:
“ and that *a* parte of the Thré Eſtats forſaieds,
“ Prellats, Buſhoppes, Greit Barrons, and Burgeſſes,
“ gif thair ſelis heirupon, to be uſit as ſhal be
“ thought maiſt expedient be them, for the honor
“ of the realme, and ſecuritie of the noblemen and
“ otheris having entrit [intereſt] in the caus.

“ JAMES, Regent.
“ MORTON, Chancellair.
“ GLENCARNE.
“ ERROLL.
“ BOWCHANE.
“ ALEX. Lord HOME.
“ RUCHVEN.
“ Lord SIMILL.
“ JOHN GLAMISS.
“ PATRICK Lord LINDSAY.
“ PAT. Lord GRAY.
“ JOHN Lord GRAHAME.
“ UCHILTIRE.

"INNERMETH.
"ADAM ORCHADEN.
"ROBERT, Commendator of DUM-
"FERLING.
"ALEXANDER, Commendator of
"CULROSS.
"Sir JAM. BALFOR.
"JA. MAKGILL.
"HEN. BALNAVES.
"W. MAITLAND.
"DRUMLANERK.
"CONINGHAMEHEID.
"JOHN ERSKAN of DUN.
"WM. KIRKALDEY.
"JO. WISHERT of PETARRO.
"JAMES HALYBURTON.
"CRAIGMILLAIR*."

N° II.

ACT OF MURRAY'S PARLIAMENT, DEC. 15—29, 1567. c. xix.

"ITEM, anent the artickle proponit be the "Erlis, Lordis, and uther Nobillmen, quha tuik "armis at Carbarrie Hill, upon the xv. day of

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* Goodall, ii. 62—66, and Haynes, 453—455. Mr. Goodall's copy not being ſtrictly accurate, I have corrected it by Haynes's.

" Junii laſt bypaſt; and anent thair conveningis " of beſoir, and of the cauſe of the apprehenſioun " of the Quene, mother to our Souverane Lord; " and quhidder the ſaidis nobillmen and utheris, " quhilkis tuik armis of beſoir hir ſaid apprehen- " ſioun, and quhilkis joynit with thame and aſſiſtit " thame at that tyme or *ony wayis* ſenſyne, hes " done the dewtie of nobillmen, good *and trew* " ſubjectis of this realme, and na wayis offendit " nor tranſgreſſit the lawis in that *effect*, or ony " thing depending theirupon, outher preceding or " following the ſamin:

" OUR SOVERANE LORD, with aviſe of " my Lord Regent and thré eſtatis and haill body " of this preſent parliament, hes fundin, declairit, " *and concludit*, and be this preſent act findis, de- " clairis, *and concludis*, that the cauſe and occa- " ſioun of the conventiounis and meſſageis of the " ſaidis Erlis, Lordis, Nobillmen, Barronis, and " utheris faithfull and trew ſubjectis, and conſe- " quentlie thair taking of armis, and coming to " the feildis with oppin and diſplayit banneris; " and the cauſe and occaſioun of the taking of the " *ſaid* Quenis perſon, upon the ſaid xv. day of " Junii laſt bypaſt, and halding and detening of " the ſamin within the hous*is* and *fortalice* of Loch- " levin continuallie ſenſyne, preſentlie, and in all " tyme cuming; and generallie all uther thingis " inventit, ſpokin, writtin, or done, be thame or " ony of thame *to that effect*, ſen the tent day of " Februar laſt bypaſt, upon the quhilk day um- " quhile *Henry King*, than the ſaid Quenis lauch-

"full huſband, and our Souverane Lord the Kingis "derreſt father, was treſſonablie, ſchamefullie, and "horriblie murthourit, unto the day and dait of "*this preſent act, and in all tymes to cum*, tuiching "the ſaid Quene, *and detening of* hir perſon; that "*the* caus, and all thingis dependand thairon, or "that ony wayis may pertene theirto, the intromiſſioun *or* diſponing upon hir propertie, caſualiteis or quhat*ſum*ever *thing* pertening or *that ony* "*ways* mycht pertene to hir, was in the ſaid "Quenis awin default, in *ſa* far as be DIVERS HIR "PREVIE LETTERIS WRITTEN HALELIE WITH HIR "AWIN HAND, and ſend be hir to James *ſumtyme* "Erle *of* Bothwell, cheif executour of the ſaid "horribill murthour, as weill befoir the committing thairof as thairefter, and be hir ungodlie and "diſ-honourabill proceding *to* ane *pretendit* mariage "with him, ſuddandlie and unproviſitlie thairefter, "it is maiſt certane, that ſcho was previe, airt and "pairt, of the actual deviſe and deid of the foir-"*namit* murthour of the King hir lauchfull huſband, "*and* father to our Soverane Lord, committit be "the ſaid James *ſumtyme* Erle *of* Bothwell, his "complices and partakeris; and thairfoir juſtlie "deſervis quhat*ſum*ever hes bene *done* to hir *in any* "*tyme bygaine, or that ſall be uſit towardis hir* for "the ſaid cauſe *in tyme cuming, quhilk ſall be uſit be* "*adviſe of the nobilitie* *:

"*In reſpect* that our ſaid Soverane Lordis mo-

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[*] This inſerted clauſe betrays a ſuſpicion in Murray's parliament, that Murray meant, under the *general* terms of the *act of council*, to have *murdered* Mary.

“ ther, with the ſaid James *ſumtyme* Erle *of* Bothwell, zeid about be indirect and colourit menis, to colour and hald back the knawledge of the treuth *of the committaris of the ſaid cryme*; zit all men in thair hartis war fullelie perſwadit of the authouris and devyſaris of that miſchevous and unworthie fact, awaiting quhill God ſould move the hartis of ſum to enter in the querrell *for* revengeing of the ſamin; and, in the mene tyme, *ane* greit pairt of the nobilitie, upon juſt feir to be handlit and demanit in ſemblabill maner, as the King had bene of befoir, perſaving *alſwa* the Quene ſa thrall and *ſwa blindlie* affectionat to the private appetyte of that tyrane, and that *baith* he and ſcho had conſpirit togidder ſic horrible crueltie, being thairwith*all* garniſſit with *an* cumpanie of ungodlie and vitious perſonis, reddy to accompliſche all their unlauchfull commandementis, of quhome he had ane ſufficient number, continuallie awaiting upon him for the ſamin effect; all nobill and vertuous men abhorring thair *tyrannie* and cumpanie, bot chiefly ſuſpecting that thay, quha had ſo treſſonablie put downe and deſtroyit the father, ſould mak the innocent Prince, his onlie ſone, and the principall and almaiſt onlie confort ſend be God to this afflictit natioun, to taiſt of the ſamin coup, as the mony inventit purpoſis to pas quhair he was *, and alſwa *quhair*

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* This allegation refutes itſelf, by its infinite abſurdity. What “ purpoſis” needed the *Queen* to “ invent,” for ſeeing her ſon?

“ *the nobillmen war in be thair oppin confuſioun*, gaif “ ſufficient warning and declaratioun:

“ Quhair-*throw* the ſaidis Erlis, Lordis, Bar-“ ronis, and utheris faithfull and trew ſubjectis, “ taking armis, or utherwyſe quhatſumever joyn-“ ing and aſſiſting in the ſaid actioun, *and* in “ the ſaidis conventiounis, diſplaying baneris, *and* “ cuming to the feildis, taking and retening of the “ Quenis perſon, aſweill in tymes bypaſt as heir-“ efter, *and all utheris that hes thairefter or ſall* “ *in ony time cuming adjoyne to thame*, and all things “ done be thame or ony of thame tuiching that “ cauſe, and all *uther* thingis depending thairon, “ or that ony wayis may appertene thairto; the in-“ tromiſſioun or diſponing upon hir propirtie, or “ caſualiteis, or quhatſumever uther thingis per-“ tening or *ony wayis* micht *ap*pertene to hir; “ was in default of hirſelf and the ſaid *James ſum-* “ *tyme* Erle *of* Bothwell, and be the horribill *and* “ *cruell* murther of our ſaid Soverane Lordis *um-* “ *quhile* derreſt father, conſpyrit, devyſit, com-“ mittit, conſeilit, *and colourit* be thame, and not “ condignelie puneiſt *according to the laws:* and “ that the ſaidis Erlis, Lordis, Barronis, and “ utheris *trew and faithfull* ſubjectis, convening at “ ony conventioun *bygaine, and now preſentlie* efter “ the ſaid murthour, for furthering of the tryell “ thairoff; and als thay and all utheris that war on “ the feildis, tuik armis, *apprehendit*, held, keipit, “ *or* detenit, *or* preſentlie haldis, keipis, *or* detenis “ hir perſon, or ſall *t*hairefter, or that has joynit or

" aſſiſtit *or ſall in ony time heirefter joyne* to thame " in that querrell, tuicheing the premiſſes; ar, war, " and ſall be, innocent, fré, and *ac*quyte, of the " ſamin, and of all actioun and cauſe criminall *and* " civill, that may be intentit or perſewit aganis " thame or ony of thame thairfoir, in *ony* tyme " cuming: and that *ane* pairt of the thré eſtatis " foirſaidis, Prelatis, Biſchopis, Greit Barronis, and " Burgeſſis, gif thair ſeillis *t*hairupon, to be uſit as " ſall be thocht maiſt expedient be thame, for the " honour of the realme, and ſecurity of the no- " bill-men and utheris, havand enteres [intereſt] " in the *ſaid* cauſe: *and decernis this declaratioun to* " *be na wayis prejudiciall to the iſſue of our Sove-* " *rane Lordis mother, lauchfullie cumin of hir body,* " *to ſucceid to the crowne of this realme* *, *nor thair* " *airis* †."

WE have here a moſt extraordinary claſhing between theſe two records, in the deſcription which each gives of the letters. The act of council deſcribes them, as "written and ſubſcribed" by Mary; and the act of parliament, only as "written "wholly" by her. This deciſive evidence of a moſt ſubſtantial variation in the letters, has greatly perplexed the writers in oppoſition to Mary; ever ſince Mr. Goodall firſt produced it againſt them. Mr. Hume, therefore, laboured much to repell the force of it, by having recourſe to a ſuppoſed blunder in the clerk penning the act of council; who meant the word "written" for the letters, he *ſuppoſes*, and the word "ſubſcribed" for—*the ſecond contract*; but erroneouſly applied both to the letters. This ridiculous *fallacy of disjunction*, as the logicians term an argument of a ſomewhat ſimilar nature, being properly expoſed by Mr. Tytler, as a ſuppoſition in the very face of fact; the Miſcellaneous Remarker, *praiſing Mr. Hume's as he paſſes along*, advances up with another, and aſcribes the words to a different ſort of blunder in the clerk; who finding "written and ſubſcribed" generally united together,—in ſome writings that concern *the ſub and pri volvani of the moon* *, mechanically added "ſubſcribed" to "written." This and the other extravagance of apology, I have held up before to the univerſal contempt of mankind. And Dr. Robertſon, ſuſpicious (as it ſeems) of the fooliſhneſs of both, *praiſes both*, and—proceeds to a third. This humour, ſo diſtinguiſhable in theſe champions for uſurpation, of *praiſing* one plan and

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* This forms a ſecond guard againſt the ambition of Murray. He thought of no ſuch clauſe in the act of council. The parliament therefore ſuſpected, that he had a deſign upon the ſucceſſion. And they added this clauſe, to bar his deſign. Yet all would have been in vain. No legal ties could have held in this ravening beaſt of prey, now couching to ſpring upon his object. Notwithſtanding the clauſe preceding in favour of the *mother*, he was meditating her murder when ſhe eſcaped from Lochlevin (Anderſon, iv. part i. 31). And, notwithſtanding this preſent clauſe in favour of the *ſon*, we may be very ſure he would have removed him out of the way. His ſudden death, no doubt, ſaved the throne, the life, or both, of the young child.

† Goodall, ii. 66—69.

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* See Butler's Genuine Remains by my late friend, the ingenious Mr. Thyer, i. 5, 6, &c.

purſuing another, is quite in the ſtyle of Virgilian huſbandry:

> Laudato ingentia rura,
> Parva tene.

On this plan, however, Dr. Robertſon ſtill aſcribes the confounding words to a blunder. They muſt neceſſarily ariſe from a blunder ſomewhere, becauſe they preſs ſo ſore upon the *honourable* cauſe of rebellion, calumniation, and forgery. "The "ſtars in their courſes" can never fight againſt theſe *honeſt* Philiſtines. But the blundering clerk is now changed into the blundering tranſcriber. And as we have only a *copy* of this act of council, ſays Dr. Robertſon; the copier of it "has been "manifeſtly ſo ignorant or ſo careleſs, that an argument, founded entirely on the ſuppoſition of "his accuracy, is of little force *." I ſhall therefore examine this plea, the laſt (I believe) that will ever be brought, againſt ſo plain a proof of forgery in the rebels; and ſhow it in all its abſurdity, to the ſtaring eyes of the world.

This act of council is taken from a copy, *in a repoſitory wholly favourable to the rebels.* It is taken, ſays Dr. Robertſon himſelf, from "a copy "of it found among Cecil's papers †." The copy therefore was given in, *by the rebels themſelves*. Coming from *them*, we cannot doubt its agreement, in any point that is *unfriendly* to them, with the loſt original in the books of privy council. And the rebels cannot hope for better treatment,

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* Hiſt. ii. 367—368. edit. xith.

† P. 367.

ment, even from a friend; than to be tried by their own and Cecil's papers.

Thus authenticated in general, what particular objections *can* the good Doctor make to its veracity? He produces three paſſages out of it, which he *thinks* to be proofs of "careleſſneſs" or of "ignorance," and which he *hopes* will invalidate its authority. From ſuch an argument of invalidation, few records perhaps could be ſafe. But Dr. Robertſon minds not conſequences, in his zeal of hoſtility againſt a paper, which was ſo unfortunately furniſhed by the rebels, and ſo unluckily preſerved by Cecil. He would willingly ſhake the whole globe, if he could but trample this paper under his feet. And yet his efforts are as weak, as his ſpirit is ſtrong.

I.

The act of council calls the Queen's marriage with Bothwell, "a priveit" one; when in fact, ſays Dr. Robertſon, it was a publick one, and in the act of parliament is only called, "ane *pretendit* "marriage." Yet, even upon the Doctor's own ſtate of *facts* in his *hiſtory*, the marriage might properly be called a *private* one. *Here* indeed, in his *diſſertation*, in order to ſerve his *preſent* purpoſe, the Doctor ſays, "it certainly was *not*" a private marriage; "*for* it was celebrated, after proclamation of banns in St. Giles's church three ſeveral "days, and with public ſolemnity *." But let us turn to his *narrative.* There we find *this* account of the marriage. "The ceremony was performed," he *there* ſays, "in public, according to the rites "of the Proteſtant church—; and *on the ſame day* "was celebrated IN PRIVATE, according to the "forms preſcribed by the Popiſh religion *." And the Doctor is convicted by his own confeſſion.

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* P. 368.

This aſſertion of his, however, is founded upon the credit of two papers formed by the rebels, "Anderſon, i. 136, ii. 276." I have replied to both before, and ſhown the falſity of the ſecond marriage in both †. But as the rebels averred Mary to have been married to Bothwell, once in the Proteſtant and once in the Popiſh manner; and as the Proteſtant celebration of the marriage was certainly a *publick* one, being known to be very indecently performed in the *council-chamber* of the palace, preferably to the *chapel* of it ‡; the Popiſh one has therefore been affirmed to be *private.* Nor does the Doctor vary at all his *narration of facts*, even in his *laſt* edition; however he may chuſe to ſhift his ground for conveniency, in *his train of reaſonings* there. His narration is ſtill the ſame as before §. And the marriage may, even upon *his own retained account of it*, be as properly called a *private* marriage, as a publick one.

It is really called a *private* one, we ſee, by the act of council. The rebels have thus lent ſome little countenance to the manner, in which our later hiſtorians have too freely celebrated the two marriages of the rebels. It only denominates the whole, from the *private* celebration; juſt as the Doctor, to bolſter up an argument here, would wiſh to denominate it from the publick. But when the act of parliament came to be drawn up from the act of council, the aſſerted *privateneſs* of the marriage was thought fit to be diſcarded. Either it was conſidered as implying a falſe fact, in the private and Popiſh marriage of the Queen; and ſo was rejected upon the principles, on which I have rejected it before. Or, which is more probable in ſuch convicted falſifiers, it was obſerved to militate directly againſt the rebel journal; which avers the Queen and Bothwell, to have been "*publicklie* "mareit efter *baith* the ſortis of the kirkis, reformit "and un-reformit *." And "priveit" was now changed into "pretendit."

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* i. 420. edit. ivth. † iii. 135. ‡ Melvill, 80. § See i. 435. edit. xith.

We have thus a compleat refutation of Dr. Robertſon's remark. But we have more. We have alſo the rebel act of council, aſſerting the marriage to have been a *private* one; and the rebel journal affirming it to have been a *publick* one. Nor is this contradiction to be accounted for, by referring one aſſertion to the publick celebration, and aſcribing the other to the private. No! the journal precludes this reconciliation of the jarring authorities. The journal avers the marriage to have been *publick*, in *both* celebrations. It thus takes away all *poſſibility* of *privateneſs* in the whole. And the two papers ſtand looking at each other, juſt as Dr. Robertſon's *hiſtory* and *diſſertation* do alſo at preſent; facing each the other with eyes of hoſtility, and manifeſting to the world the artificialneſs and the falſhood of both.

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* Appendix, Nº x.

II.

We have likewiſe in the act of council theſe words, deſcribing the Queen to be "ſo thrall and "*bludy* affeccionat to" Bothwell; and in the act of parliament theſe, "ſwa thrall and ſwa *blindly* affeccionat to" him. This variation is accordingly produced by Dr. Robertſon, as another evidence—of what?—of "careleſſneſs" or of "ignorance" in the copier of the act of council, though a rebel himſelf, and the agent of rebels; and as deſtroying, by its "nonſenſe," all poſſible confidence in the juſtneſs of his copy.

> Why has not Man a microſcopick eye?
> For this plain reaſon, Man is not a fly.

But prejudice can reduce him to the one, and ſo ſupply him with the other. It has here done ſo, by Dr. Robertſon. Nothing but the petty opticks of a fly, could have viewed this variation as of moment, and ſo have aggrandized a grain of ſand into a mountain.

"Bloody" is an adjective of power affixed *yet*, as we all know, to any word that vulgar language wants to heighten. In ſuch language a man is "bloody" cruel, "bloody" fond, or "bloody" affectionate; even in *England*, and *in our own days*. And the word was ſuperſeded afterwards in the act of parliament, by "*blindly* affeccionat;" in the ſame ſpirit of correction from the pen of James Macgill, by which he equally changed the "priveit" of Alexander Hay, into his own "pretendit." He altered "priveit," no doubt, for the ſake of the fact included in it. He altered "bludy" probably, becauſe of its vulgarity.

So ridiculous are both theſe arguments, even as proofs of "ignorance" or "careleſſneſs" only! So peculiarly contemptible are they both, as evidences of a "careleſſneſs" and an "ignorance," that carry the tremendous power with them, of annihilating the very credit of the record, in which they are found. But the third and only remaining argument, is ſtill more contemptible and ridiculous.

III.

In the act of council we read theſe words, "all "noble and vertuous men abhoring theire [the "Queen's and Bothwell's] *traine* and companie." The laſt words, ſays Dr. Robertſon, either have "no meaning" or are "a mere tautology." A meaning they certainly have. The honeſt part of the nation is ſaid, to have abhorred "the train and "company" that is, the retinue and attendants, of Mary and her huſband. There is no want of intelligence, whatever there may be of truth, in all this. Nor is the language any more tautological, than it is in a thouſand modes of expreſſion, that occur daily in converſation, and are admitted conſtantly into compoſition. But, even if it was, would a *tautology* blaſt the credibility of a record, and make the parchment ſhrivel up into paper? Then not a ſingle record could eſcape. And the multiplied tautologies of the *law* particularly, would come like a ſtill more furious KNOX with a ſtill wilder band of his FANATICKS, and deſtroy all the legal records of the kingdom.

But, as Dr. Robertſon adds, the laſt words of the clauſe run thus in the act of parliament, "ab-"horring thair *tyrannie* and cumpanie." Macgill has again been buſy, in correcting the language of Hay. He conſidered Hay to be much beneath him, in a juſt propriety of writing. He therefore took liberties with his words. He altered "pri-"veit" into "pretendit," and "bludy" into "blindly." But, in neither of theſe alterations, did he keep ſteadily to the ſenſe of the original. "Pre-"tendit" is very different in ſignification from "priveit," and unites not with the context, which imports the marriage to be *real* as well as *ſecret*. The Queen, ſays the act of council, is proved to be guilty by the letters, "and be hir ungodlie and "diſhonorable proceadinge in a *priveit* marriage "ſoddanlie and unproviſitlie yareſter." But the act of parliament infers her to be guilty, by the letters, "and be hir ungodlie and diſhonourabill "proceding to ane *pretendit* mariage with him, "ſuddandlie and unproviſitlie thaireſter:" where the *pretendedneſs* of the marriage, is introduced with an injudicious violence into the text; and the guilt, inferred from her *real* marriage with the murderer, is half of it daſhed aſide, by calling the marriage a *pretended*

pretended one. Nor are the ideas, deſigned to be expreſſed by "ſo *thrall* and *bludy* affeccionat," properly preſerved in "ſwa *thrall* and *blindly* affeccionat;" the aggravating force of the word "bludy" being loſt, and a new idea of *blindneſs* being ſubſtituted in its room. Juſt ſo he has alſo acted, in changing "traine" into "tyrannie." He has again thruſt a new idea into the clauſe. And he has again thruſt in one, that cannot incorporate with the reſt.

The real meaning is obviouſly this: that the Queen and Bothwell had, as the words preceding tell us expreſsly, "a companie of ungodlie and vi-"cious perſons" about them; and that, as the next words add, "all noble and vertuous men, abhoring "thaire traine and companie," that is, abhorring this very "*companie* of ungodlie and vicious per-"ſons," did do as the words ſubſequent tell us, "prevelie repoſit themſelfs" at Stirling, where the Prince was. *Here* the ſenſe is compleat. It has nothing foreign or adventitious within it. But *there* it has. It has *tyrannie*; which bears no relation to the words before, concerning the ungodly company about the court; and which carries no connection with the words afterward, concerning the retirement to Stirling. And what compleats the whole, though "the *traine* and companie" of Bothwell and the Queen, *might* be avoided by *retiring to Stirling*; yet the "*tyrannie* and companie" of them certainly *could not*. The *tyranny* could be avoided only, by retiring out of the kingdom.

IV.

Such are the mean and low arguments, that a Dr. Robertſon is obliged to raiſe from the dirt, in the general diſtreſs of the rebel cauſe. James II. in an embarraſſing want of money, coined half-crowns of copper; and made what was worth a penny, to ſtand for thirty times its value. Nor would ſuch money need a proclamation, to cry it down. Yet a proclamation was iſſued, I think, in the plenitude of attention to the publick weal. I have been acting upon the ſame principle of attention. I have been crying down arguments, that could never have paſſed current. I have been expoſing as ſophiſtry, what was too obvious ſophiſtry to need a particular expoſure. Yet a vindication of Mary ſhould rather run out into ſuperfluouſneſs, than ſtop ſhort in defectiveneſs. To do ſo, is a proper compliment to the growing candour of the publick. The friends of Mary cannot be too attentive to this. For that reaſon, I have been carefully lifting up the veil, that party is now hanging before the face of the rebels; in order to let the publick ſee at once, the ſhame apparent there, and the endeavours uſed by their partiſans to hide it. And I ſhall go on to do the work ſtill more, for the ſake of the ſame publick; which has been long abuſed in its faith by the bold fictions of the rebels, and is daily recovering from the influence of their impoſitions.

There are other variations in theſe two records, which the Doctor has *not* noticed. There are ſome in *favour* of his own hypotheſis. I ſhall mention one of them. I ſhall thus act in a ſtrain of generoſity, that the enemies of Mary have never deſerved, but the cauſe of Mary very naturally ſuggeſts. In the act of council we have theſe words, "unto the daie and date heirof, toweching the ſaied "Quene hir perſon, that caus, and all" &c.; which, in the act of parliament, are taken out of their unmeaningneſs and diſorder, and formed into this clear ſenſe, "the day and dait of this preſent act, and in "all times to cum, tuiching the ſaid Quene, and "detening of hir perſon; that the caus, and all" &c. Here we have ſuch an inſtance of erroneouſneſs, as a tranſcriber "ignorant" or "careleſs" *might* make. But alas! we have the ſame ſort of erroneouſneſs, in the very *act of parliament* itſelf; though the Doctor has been all inattentive to it. I ſhall mention juſt as many inſtances of this, as he has mentioned of the other. In the act of council is the clauſe, "nawiſe offendit nor tranſgreſſit the "laws in that *fact*, nor anie thing depending thair-"on;" which in the act of parliament is mended the wrong way thus, "na wayis offendit nor tranſ-"greſſit the lawis in that *effect*, or ony thing de-"pending thairupon." In the former we have theſe words, "was *awnterlie* [or *aluterlie*] in default of "hirſelfe;" which in the latter is ſimply thus, "was "in default of hirſelf," the ſtrong word *aluterlie*, or wholly, being omitted. In the former we have alſo this regular thread of meaning, "the mony inventit "purpoſes to pas where he [the young Prince] wes,

" and where the noblemen in that opin confuſion " prevelie repoſit themſelfis, gave ſufficient warn- " ing." But, in the latter, it is all knit and ravelled up into this maſs of confuſion: " the mony inventit " purpoſis to pas quhair he was, and alſwa quhair " the nobillmen war in be thair oppin confuſioun, " gaif ſufficient warning." And ſhall we then turn the Doctor's battery againſt himſelf, play upon the inaccuracy, and ſo endeavour to knock down the authority, of the act of parliament? We may do ſo, as we have only one cotemporary copy, either of this or of the other; and if we chuſe to act upon the military maxims of Dr. Robertſon. But we do not chuſe. We leave ſuch objections as theſe, *to thoſe to whom they belong*, the enemies of Mary. For *our* part, " tædet harum formarum quotidianarum." Let *ſome* wits, like witches, ſtumble upon ſtraws, in their zeal againſt Mary. And let *us* be content to remark, that they are ſuch wits only, as, ſeeing truth immediately before them, chuſe rather to ſtumble than to reach it.

Dr. Robertſon's underſtanding indeed, whenever he touches upon a capital point concerning Mary, ſeems to be bound up as by a ſpell of witchcraft. His prejudice is that ſpell. But its influence is peculiarly ſtrong. It reduces the reaſoner into the ſophiſt. It degrades the thinker into the talker. And, what is infinitely more, it ſinks the man of dignity, of honour, and of religiouſneſs, into the tricker and juggler of a party.

I thus ſpeak with ſpirit againſt Dr. Robertſon. Yet I ſpeak not with ſpleen. I would exhibit him, juſt as he appears to my judgment, as unfair, diſingenuous, and diſhonourable; as bent and bowed by the force of his prejudices, in ſpite of the ſolidity of his underſtanding; as ſeduced by his political paſſions, in oppoſition to his generous feelings; as yielding to temptations, which he hardly wiſhed to reſiſt; and as acting with an obliquity, that he half-ſees and half-overlooks at the moment. But I would not go one ſtep beyond this. I reſpect him as a writer. I eſteem him as a man. Nor would I even proceed ſo far, if I did not know it to be perfectly juſt in itſelf, and did not ſee it to be abſolutely neceſſary in its conſequences. Either he or Mary muſt be treated with ſeverity. And could I heſitate a moment, which ſhould be? Shall a Lady and a Queen, innocent, amiable, elegant, and dignified, ſuffer? Or ſhall a gentleman, who ſlandered her at firſt, becauſe he had always been in the habit of ſlandering her; who ſlandered her, even when he had poſitive proofs of her guiltleſſneſs before him; and who continues to ſlander her at preſent, even when he ſhows by his manner, that he ſees thoſe proofs, and that he feels their pointedneſs? No!

Let the broad axe fall where it may,

and where it ought to fall. Let the Doctor receive the chaſtiſement, that he has merited. And let the reputation of his work be ſacrificed, as it deſerves to be, to the *manes* of a much-abuſed, a much-inſulted, and a much-injured Queen *.

Nº III.

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* A new vindication of Mary has been juſt now imported among us, in a new hiſtory of Elizabeth. It is "Hiſtoire d'Eliſabeth

N° III.

LETTER FROM QUEEN ELIZABETH TO MURRAY, JUNE 8, 1568.

" . . . . conſidering the government of " that realme is in your powre at this preſent, and " that

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" d'Eliſabeth Reine d'Angleterre, tirée des ecrits originaux " Anglois, d'actes, titres, lettres, et autres pièces manuſcrites " qui n'ont pas encore paru. Par Mademoiſelle De Keralio." It conſiſts of five volumes octavo, and was printed at Paris in 1787 (v. 497, and the end). The authoreſs treads with gracefulneſs and dignity, with fairneſs, vigour, and judgment, though with many miſtakes, that ſtraight path of truth, which a Goodall, a Tytler, and a Stuart have trod before her. Her work, ſo far as concerns Mary, and Mary's concerns form a large part of it, is principally modelled upon theſe. In her fifth volume, which conſiſts entirely of papers, and ſome calculated only for foreigners, as Magna Charta, &c.; are a few letters not publiſhed before, to one or two of which I have previouſly referred. And her whole work ſhows very ſtrikingly, the ſtrong impreſſion which thoſe three writers have made upon the ſpirits of the publick, and the ſpreading influence of their arguments on the continent, as well as in theſe iſlands. But I wiſh here to ſhow, in what manner this French authoreſs thinks and ſpeaks of Dr. Robertſon. I ſhall produce a few inſtances, and take them as they ariſe. In ii. 470 ſhe ſays thus of one Robert Bruce, who publiſhed, it ſeems, a folio hiſtory of Scotland in 1749 (v. 486): " il paroit avoir ſuivi de point en point Knox " et Buchanan, et avoir imité *la feinte moderation de Robertſon,* " qui *accuſe perpetuellement Marie*, en *paroiſſant la plaindre et* " *l'excuſer :* cet artifice eſt en effet plus propre à ſeduire, que " l'emportement des deux premiers, et porte avec lui un ca" ractere apparent d'impartialité, qui peut s'attirer d'abord la " confiance

“ that by your ſervant Mr. John Woodd we have underſtood your offer, to make declaration to us of your whole doings,” &c. *

PART

“ confiance du plus grand nombre.” In iii. 200, noticing the Doctor's account of Mary's confident expectation of ſucceſs, at the battle of Langſide; M. Keralio obſerves: “ on ne peut rapporter *un fait plus faux que celui-ci.*” Animadverting on Mr. Hume's following Anderſon, in paſſing over ſuch papers as were friendly to the Queen; ſhe adds: “ ni lui ni Robertſon n'ont pris la peine de rapporter aucun detail des procedures d'York et de Weſtminſter, pas un regiſtre, pas une commiſſion ſecrete; et *ils les avoient ſous les yeux:* avec un pareil ſyſteme, *on peut etre eloquent, on peut avoir un ſtyle ſeduiſant et noble*; *mais on n'eſt pas hiſtorien*” (iii. 343). Again in iii. 351: “ le genie et les principes de Hume et de Robertſon ont dû leur preſenter la lumiere de ces raiſonnemens; *elle n'a pu leur echapper*; *ils avoient les papiers ſous les yeux*; *ils les citent eux-mêmes*; mais ils *les ont alterés par d'autres vues*, en *renverſant leur ordre et leur date*; et même dans ceux d'Anderſon, *ils ſes ſont flattés de prouver des propoſitions fauſſes, comme ſi perſonne n'avoit dû lire apres eux.*” In iii. 379, “ Anderſon et Hume ne l'ont ni rapportée ni citée” the paper in Goodall, ii. 295—297; “ Robertſon, *plus infidelle encore, l'a falſifiée en pluſieurs endroits.*” In iii. 409, “ ce n'eſt pas ainſi que Robertſon raconte ces evenemens—; là, il raconte les termes des accords; mais *il eſt auſſi infidelle à la fin qu'au commencement.*” In iii. 411, “ Hume, Robertſon, Anderſon, et Buchanan *ont travaillé ſciemment* à deguiſer la verité; *les uns ont alteré, falſifié les faits dont ils ont eté temoins.*” In iii. 446 ſhe ſays of the author of “ Martyre de Marie Stuart,” that he, “ par eſprit de parti, a pu s'egarer dans la cauſe juſte, *comme Robertſon dans l'injuſte.*” In iii. 467 ſhe ſays, “ *Robertſon garde un ſilence auſſi prudent*, ſur des faits *qu'il ne peut*

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* Anderſon, iv. 68—70, and Goodall, ii. 73—74, from Cotton Library, Caligula, c. i. folio 88.

“ *ni*

PART OF A NOTE OF WHAT MURRAY AND HIS COUNSELLORS DELIVERED TO MR. MIDDLEMORE, TO BE REPORTED TO ELIZABETH, JUNE 22d, 1568.

“ . . . . And for our offer, to mak her “ Majeſtie declaratioun of our haill doingis, anent

‘ *ni deguiſer ni pallier*.” In iv. 126 ſhe remarks: “ *Robertſon* “ *n'a pas craint* (pag. 82) *de dementir a cet egard les meilleurs* “ *auteurs, et de citer, à l'appui de ſa fauſſe aſſertion*, la confeſſion “ rapportée par les miniſtres,” Morton's dying confeſſion; “ il “ dit que Morton chargea la Reine (*on a vu le contraire, et on* “ *peut le voir encore dans la piéce originale*)—: Hume eſt du “ même avis que Robertſon: *cela etoit neceſſaire au projet uniforme de ces deux auteurs*.” In iv. 181 ſhe ſays, that “ Robertſon—ne faut pas s'en rapporter a lui dans les details de “ cette affaire,” a ſpeech of Gowry's in his famous ſeizure of the King; “ *attaché au parti d'Eliſabeth, il noircit ou juſtifie* “ *ceux qui agiſſoient en Ecoſſe, ſuit toujours l'interêt qui l'anime en* “ *faveur de cette princeſſe, jette des nuages ſur la reputation de* “ *Lenox*,” the new Earl of Lenox, “ *exagére les torts du Comte* “ *d'Arran*, et *excuſe la conduite des conſpirateurs*.” And, to adduce only one inſtance more, the partiſans of Elizabeth, as this author very juſtly obſerves in iv. 347, “ ont traité avec “ une eſpece d'emportement, tous ceux qui ont voulu porter “ une nouvelle lumiere ſur les faits hiſtoriques; *tels ont eté* “ *Hume, Robertſon, Buchanan, et tant d'autres moins eclairés et* “ *moins ſuperieurs*; mais les hommes juſtes, dont le jugement “ ne repoſe que ſur la verité, cherchent à la connoître, à l'approfondir, et ne mettent jamais à la place d'une eſtime reflechie, le feu d'une admiration exaltée.” Such is the opinion of examining criticks on the continent, concerning Dr. Robertſon! His countrymen are not the only perſons, who find themſelves compelled by the force of truth, to ſpeak harſhly of him. And even a lady of France, “ aimable” and “ en “ des premieres années de ſa jeuneſſe” (ſee the “ Approbation” at the end of volume vth), lays as heavy a hand upon the Doctor; as any ſour and cynical gentleman of Britain.

“ that quhairwith the Quene, our Soverane Lordis mother, chargis us, and utheris joinit with us; we have alreddie ſent unto our ſervand Mr. Jhone Wode, that quhilk we traiſt ſall ſufficientlie reſolve hir Majeſtie of ony thing ſcho ſtandis doubtful unto: and zit gif hir Hienes will that we ſend other for mair ſpecial informatioun of the cais, we ſall glaidlie follow hir pleſoure, with als grite haiſt as poſſible we can.

“ Bot becauſe we perſave the trial, quhilk the Quenis Majeſtie is myndit to have taken, is to be uſit with grit ceremonye and ſolemniteis, we wald be maiſt laith to enter in accuſatioun of the Quene, moder of the King our Soverane, and ſyne to enter in qualificatioun with hir; for all men may judge how dangerous and prejudicial that ſuld be. Alwayis, in cais the Quenis Majeſtie will have the accuſatioun directlie to proceid, it wer maiſt reſſonabill we underſtude quhat we ſuld luke to follow thairupon, in cais we preive all that we allege; utherwayis we ſal be als incertane efter the caus concludit, as we ar preſentlie. And thairfoir we pray zow requyre her Hienes, in this point to reſolve us; at leiſt that my lordis of the counſal will aſſure us, quhat we ſall lippin unto [depend upon].

“ Farther, it may be, that ſic letteris as we haif of the Quene, our Soverane Lordis moder, that ſufficientlie, in our opinioun, preivis hir conſenting to the murthure of the King hir lauchful huſband, ſall be callit in doubt be the juges to be conſtitute for examinatioun and trial

" of the caus, quhether they may ſtand or fall, pruif " or not. Thairfoir ſen our ſervand Mr. Jhone " Wode hes the copies of the ſamin letteris tranſlatit in our language, we wald erneſtlie deſyre, " that the ſaidis copies may be conſiderit be the " juges that ſall haif the examinatioun and commiſſioun of the matter; that thay may reſolve us " this far, in cais the principal agrie with the copie, " that then we pruif the caus indeed: for quhen we " haif manifeſtit and ſchawin all, and zit ſall haif " na aſſurance that it we ſend ſall ſatisfie for probatioun, for quhat purpois ſall we ather accuſe, " or tak care how to pruif, quhen we ar not aſſurit " quhat to pruif, or, quhen we have preivit, quhat " ſall ſucceid * ?"

N° IV.

AN ACT OF PRIVY COUNCIL, CONCERNING MURRAY'S RECEIT OF THE BOX AND LETTERS, &c.

" Apud Edinburg, 16 Sept. Anno Dom. 1568.

" THE quhilk day, the nobill and potent Prince " James Erll of Murray, Lord Abirnethie, Regent " to our Soverane-Lord, his realme and liegis, " grantit and confeſſit him to have reſſavit fra " James Erll of Mortoun Lord of Dalkeyth, Chancelar of Scotland, ane ſilver box owergilt with " gold, with all miſſive letteris, contraictis or obligatiounis for marriage, ſonets or luiſ-ballettis,

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* Goodall, ii. 75—76, from the paper-office, London.

“ and utheris lettres contenit yairin, ſend and paſt betwix ye Quene, our Soverane Lordis moder, and James ſumtyme Erll Bothvile; quhilk box, and haill pecis within the ſamyn, wer takin and fund with umquhile George Dalgleiſche, ſervand to ye ſaid Erll Bothvile, upoun the xx day of Junii, ye zeir of God 1567 zeirs. And yairſoir the ſaid Lord Regent for himſelf, and takand the burding upon him for ye remanent nobillmen, and utheris profeſſing ye quarrel, and obedience of oure ſaid Soverane Lord; exoneris, quitclaimis, and diſchargeis ye ſaid Erll of Mortoun of the ſaid box, and of all ye ſaidis miſſive writingis, contractis, obligationis, ſonetis, luif-ballettis, and utheris lettres quhatſumevir fund and contenit yairin ye tyme of his recept and intromiſſioun yairwith; teſtifieing and declaring, yat he hes trewlie and honeſtlie obſervit and kepit the ſaid box, and haill writtis and pecis forſaids within ye ſame, without ony alteratioun, augmentatioun, or diminitioun yairof in ony part or portioun. And alſo ye ſaid Lord Regent, upoun his honour, faythfullie promittis, that the ſaid haill lettres and writingis ſall be alwayis readie and furthcumand to ye ſaid Erll of Mortoun, and remanent nobillmen yat enterit in the querrell of revengeing of ye King our Soverane Lordis faderis murthor; quhenſoevir yai ſal haif to do yairwith, for manifeſting of the ground and equitie of yair proceedingis, to all quhome it effeiris [concerns] *.”

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* Anderſon, ii. 257, and Goodall, ii. 90, from the records of privy council.

AN ACT OF PRIVY COUNCIL, CONCERNING MORTON'S RECEIT OF THE BOX AND LETTERS, &C.

“ Apud Edinb. xxii. Januarii, 1570–1.

“ THE quhilk day, in preſence of the richt ho-
“ norabil Matthew Erle of Levinox, Lord Darnlie,
“ guidſchir [grandſire], lauchful tutor and regent,
“ to our Soverane Lord, his realme and lieges,
“ and Lordis of Secreit Counſal; James Erle of
“ Mortoun, Lord of Dalkeyth, Chancellar and
“ Greit Admiral of Scotland, being in reddineſs to
“ paſs to the Quenis Majeſty of Ingland, as ane of
“ our Soverane Lordis Commiſſionaris; for divers
“ gryt and wechtie materis, concerning his Hienes
“ and his eſtait; grantit and confeſſit him to have
“ reſſavit fra the ſaid Lord Regent an ſilver box,
“ overgilt with gold, with the miſſive letteris, con-
“ tractis or obligatiounis for marriage, ſonettis or
“ luif-ballettis, and utheris letteris thairin contenit,
“ to the number of xxi, ſend and paſt betwix
“ the Quene, our ſaid Soverane Lordis moder,
“ and James ſumtime Erle Bothville: quhilk box,
“ and haill pecis within the ſamin, wer takin and
“ fund with umquhile George Dalgleiſche, ſer-
“ vand to the ſaid Erle Bothville, upon the xx day
“ of Junii, the zeir of God M. D. thré ſcoir ſevin
“ zeiris, and were deliverit be the ſaid James Erle
“ of Mortoun to umquhile James Erle of Murray,
“ Lord Abirnethie, uncle and regent to our So-
“ verane Lord for the time; efter quhais deceis,
“ the ſamin box and letteris wer recoverit out of

“ the handis of his ſervandis, be the ſaid Erle of
“ Levinox, now regent. Quhilkis letteris, being
“ autentiklie copeit, and ſubſcrivit with the handis
“ of his Grace and Lordis of Secreit Counſale, the
“ ſamin copeis wer left to remane with his Grace ad
“ futuram rei memoriam. And alſo the ſaid Erle of
“ Mortoun promeiſt and obleiſt him, to bring agane
“ and deliver the ſaid box, and principal letteris, to
“ the ſaid Lord Regent, at his returning from his
“ preſent legatioun *.”

N° V.

A LETTER TO QUEEN ELIZABETH FROM HER COMMISSIONERS AT YORK, THE XI. OF OCTOBER, 1568.

“ PLEASITHE zour moſt excellent Majeſtie
“ to underſtand, that ſithens our laſt deſpeches the
“ Erle of Murray and his colleagues, to occupie the
“ time, have put in their anſweare to the complaynts
“ exhibited by their adverſe partie.—And albeit
“ they have in the ſame,” &c. “ yet the ſaid Erle
“ hath been content privatlie to ſhew us ſuch matteir
“ as they have, to condempne the Quene of
“ Scottes of the murder of her huſband; to the
“ intent they wold know of us, how your Majeſtie,

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* Goodall, ii. 91, *from the acts of Lenox's privy council, in the Earl of Haddington's Collections.*

" underſtanding the ſame, wolde judge of the
" ſufficiencie of the matter; and whether, in your
" Majeſtie's opinion, the ſame will extend to
" condempne the Quene of Scottes of the ſaid
" murder.

" And ſo they ſent unto us the Lord of Lethingtoun, James Makgill, and Mr. George
" Boqwannan, and another being a lord of the
" ſeſſion; which in private and ſecret conference
" with us, not as commiſſioners as they proteſted,
" but for our better inſtruction, after declaration
" of ſuch circumſtances as led and induced to vehement preſumptions to judge her giltie of the
" ſaid murder, ſhewed unto us a copie of a bond,
" bearing date the 19th of Aprill 1567, to the
" which the moſt part of the lords and counſaillors
" of Scotland have put to their hands, and, as they
" ſaye, more for feare, than any lyking they had of
" the ſame. Which band conteyned two ſpecial
" points; the one, a declaration of Bothwell's purgation of the murder of the Lord Darley, and
" the other a generall conſent to his marriage with
" the Quene, ſo fare forthe as the lawe and her owne
" likinge ſhoulde allowe. And yet, in prouſe that
" they did it not willinglie, they procured a warrant, which was now ſhewed unto us, bearing
" date the 19th of Aprill, ſigned with the Quene's
" hand, whereby ſhe gave them licence to agree
" to the ſame; affirming that, before they had ſuch
" warrant, there was none of them that did or
" wolde ſet to their hands, ſaving onlie the Earl of
" Huntley.

" There was alſo in the copie of the bande a " copie of a warrant followinge, much to that ef- " fect, ſavinge that the one did licence to doe, and " the other ſeemed to diſcharge and pardone that " was done, which bears date the 14th of Maye. " It appeared alſo, that the ſelſe ſame daye of the " date of this band, being the 19th of Aprill, the " Erll of Huntley was reſtored by parliament, which " parliament was the occaſion that ſo many lords " were there aſſembled: which, being all invited " to a ſupper by Bothwell, were induced after ſup- " per, more for fear than otherwayes, to ſubſcribe " to the ſaid band; two hundred harkebuſiers be- " ing in the courte and about the chamber-doore, " wheare they ſupped, which weare all at Both- " well's devotione; where [which] the ſaid lords " ſo much miſliked, that the next morning, by " four of the clocke, few or none of them weare " left in the towne, but departed without taking " their leave.

" Thear was alſo a contract ſhewed unto us, " ſigned with the Quene's hand, and alſo with " Bothwell's, bearing date the fifth of Aprill; writ- " ten, as it is ſaid, with the Earl of Huntley's own " hand, who, with one Thomas Hebourne, weare " the only witneſſes to the ſame. Which contract " beareth date before Bothwell's purgation of the " murder, whereof he was not tried nor pourged " before the 12th of Aprill followinge, and alſo " before the proceſſe of divorce began between " Bothwell and his wife, which was not begunne

" before the firſt of May, and yet with ſpeede
" ended within eight dayes—(1).

" There was alſo a contract ſhewed unto us of
" the Quene's own hand, of the marriage to be had
" between her and Bothwell, bearing no date, which
" had not *verba de præſenti*, as the other had, bear-
" ing date the 5th of Aprill. It appeared alſo
" unto us by two letters of her own hand, that it
" was by her own practice and conſent, that Both-
" aill ſhould take her and carry her to Dunbar—.

(1) Dr. Robertſon ſays, that " Bothwell, having
" now got the Queen's perſon into his hands,—
" inſtantly commenced a ſuit,—in order to obtain
" a ſentence of divorce from his wife. *This* pro-
" ceſs was carried on, at the ſame time, before pro-
" teſtant and popiſh judges.—The pretexts which
" *he* pleaded were trivial or ſcandalous. But *his*
" authority had greater weight, than the juſtice of
" *his* cauſe; and in both courts a ſentence of di-
" vorce was pronounced, with the ſame indecent
" and ſuſpicious precipitancy *." But this account is full of the Doctor's uſual miſtakes, miſtakes wholly upon one ſide.

The ſuit is all given to Bothwell. His wife's ſuit is totally ſuppreſſed. The proſecution is acknowledged to have been a double one; but then both the parts of it are expreſsly attributed to Bothwell. And this is done, I fear, with a deſign to deceive *himſelf*. A ſuit of divorce, proſecuted by Lady Bothwell, by the very mention of it would have precluded all the Doctor's ſlanders at once. *She* could not be in a conſpiracy with Bothwell and the Queen, *againſt herſelf*. And the ſtubborn contradictorineſs of half, would have effectually deſtroyed the whole *.

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* i. 419.

Lady Bothwell's ſuit, then, *would* not be commenced in conſequence of the ſeizure. In fact it was not. It was determined upon, according to the rebel journal itſelf, ſo early as April the fifth. That day, Lady Bothwell even ſigned a *procuratory* for the purpoſe †; what is now denominated a *proxy*; what our own canons, antient and modern, require, as the authoritative inſtrument to a proctor for commencing a ſuit; and what our own court of Doctors Commons invariably demands, at preſent. This was, therefore, the actual commencement of the ſuit with *her*, nineteen days before the ſeizure. She *then* authorized her proctor to purſue it in form. And, as the fact was well known to the Queen and all her nobles, ſo no doubt was made of Lady Bothwell's ſucceſs by either. The divorce was conſidered by both, as having *in effect taken place already*. This indeed was an indelicacy in the Queen, that grates upon the feelings of a more refined age. But then it was not peculiar to her. It was the common indelicacy of the times. And the Queen only thought, as all the nation thought at the moment, and as the higheſt and moſt poliſhed part of it formally ſhowed they thought. The nobles, whether proteſtant or popiſh, whether attached to the Queen or combined againſt her, ſubſcribed a formal paper ſo early as the nineteenth of April afterwards, ACTUALLY RECOMMENDING BOTHWELL AS A HUSBAND TO THE QUEEN. This is the ſtrongeſt of all poſſible proofs, concerning their KNOWLEDGE of the ſuit begun by Lady Bothwell, and concerning their CERTAINTY of her being ſpeedily divorced from the Earl. Their knowledge and their certainty are even *expreſſed*, in the bond itſelf; as they recommend "the "mariage to be ſolemnizat and compleitit betwix "her Hienes and the ſaid noble lord,—at ſic tyme "as it ſall pleiſe her Majeſtie to think it conve"nient, and HOW SONE THE LAWES SALL LEAVE IT "TO BE DONE *." And Mary, in the SAME ſtrain of knowledge, and in the SAME ſpirit of certainty, OBJECTED NOT HIS PRESENT MARRIAGE TO HIM;

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* Accordingly Dr. Robertſon, in his laſt edition, has altered the paſſage thus. "Bothwell, having now got the Queen's "perſon into his hands,—commenced a ſuit in *his own* name "in the ſpiritual court—; *at the ſame time* he *prevailed* with "*Lady Jane* to apply to the proteſtant court" (i. 433—434). He thus comes a little nearer to the truth, in his matter. He allows of two ſuits, one by Bothwell, and another by his lady. But he is as diſtant as ever in his manner. He ſtill makes both to be Bothwell's in effect, and both in conſequence of the ſeizure. And he makes Lady Bothwell ſtill, to be in a conſpiracy with her huſband and the Queen, *againſt herſelf*.

† Appendix, N° x.

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* Anderſon, i. 110. So alſo the commiſſioners at York deſcribe the bond; as containing "a generall conſent to his "marriage with the Quene, ſo fare forthe as *the lawe—ſhoulde* "*allowe*" (N° v. before).

on his *inſinuating* his regard for her upon April the *twentieth*, on his *avowing* it at Dunbar *afterwards*, or on his *ſhowing* her their recommendation there. Of ſuch notoriety, was the ſubſcription of the proxy by Lady Bothwell! With ſuch an aſſurance of a divorce, did all the principal part of the nation anticipate the conſequence *!.

They anticipated, not merely the divorce of Bothwell, but alſo his conſequent marriage with another. This they recommended to be ſolemnized betwixt the Queen and him, "how ſone THE "LAWES ſall leave it to be done." Either of the parties in a divorce, was then allowed by the laws of Scotland to marry again. The general aſſembly, indeed, had lately prohibited the *offending* party from re-marrying †. But its prohibition was not minded. The antient law rode triumphant over the new canon. It did ſo, even with the kirkmen themſelves; and even with that committee (as it were) of the general aſſembly, which reſided in Edinborough at this period. When Craig, the miniſter of St. Giles's, declined to publiſh the banns for the marriage of Mary to Bothwell, becauſe he "durſt proclame no bandis, and chieflie "ſick [ſuch], without conſent and command of "the kirk;" the kirk directed him to publiſh the banns,

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[*] See a great miſtake, therefore, in Sir D. Dalrymple's (now Lord Hailes's) Remarks, 201—202; who attributes this *negative* conduct of the Queen, to her *knowledge of the canon law* forſooth! and entirely overlooks what is ſo much more ſtriking, the *poſitive* conduct of the nobles. Yet it is all copied by Dr. Robertſon, in his late edition, i. 433—434.

[†] Anderſon, ii. 279 and 283.

banns, though they were even thoſe of the *convicted adulterer* himſelf. " The kirk, eftir lang reaſſoning with the juſtice clark, and amangis the breytherene, at length concludit, That the Queenis " mynd *ſuld* be publiſhit *." This extraordinary fact, unites with the evident opinions and expreſs declarations of all the principal perſons in the nation, to ſhow us the regular law of the land at this period. With theſe teſtimonies do the rebels expreſsly concur themſelves, in their very forgeries; when in Lett. vi. Sect. 2. the Queen is made to ſpeak of Bothwell, as ſoon to be " fré to mary;" and when in the *French* contract ſhe declares herſelf free and ready to marry him, as ſoon as he is equally free, " lui eſtant en meſme liberté." And all is confirmed beyond a poſſibility of doubt, by Mary herſelf; when, in her inſtructions for the embaſſadour whom ſhe ſent into France on her marriage, ſhe directs him to tell her relations concerning Bothwell, That, " albeit he was befoir mareit, zit the mariage with him, the former contract and band, wes be ye ordoure of law—diſſolvit,—ſwa yat we on the ane part, and he on " ye uther ſyde, being bayth fré, ye mariage mycht " lauchfullie and weill aneuch be acumpliſſit be " ye lawis of yis realme †."

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on his *inſinuating* his regard for her upon April the *twentieth*, on his *avowing* it at Dunbar *afterwards*, or on his *ſhowing* her their recommendation there. Of ſuch notoriety, was the ſubſcription of the proxy by Lady Bothwell! With ſuch an aſſurance of a divorce, did all the principal part of the nation anticipate the conſequence *!

They anticipated, not merely the divorce of Bothwell, but alſo his conſequent marriage with another. This they recommended to be ſolemnized betwixt the Queen and him, " how ſone THE " LAWES ſall leave it to be done." Either of the parties in a divorce, was then allowed by the laws of Scotland to marry again. The general aſſembly, indeed, had lately prohibited the *offending* party from re-marrying †. But its prohibition was not minded. The antient law rode triumphant over the new canon. It did ſo, even with the kirkmen themſelves; and even with that committee (as it were) of the general aſſembly, which reſided in Edinborough at this period. When Craig, the miniſter of St. Giles's, declined to publiſh the banns for the marriage of Mary to Bothwell, becauſe he " durſt proclame no bandis, and chieflie " ſick [ſuch], without conſent and command of " the kirk;" the kirk directed him to publiſh the banns, though they were even thoſe of the *convicted adulterer* himſelf. "The kirk, eſtir lang reaſſoning with the juſtice clark, and amangis the breytherene, at length concludit, That the Queenis "mynd *ſuld* be publiſhit *." This extraordinary fact, unites with the evident opinions and expreſs declarations of all the principal perſons in the nation, to ſhow us the regular law of the land at this period. With theſe teſtimonies do the rebels expreſsly concur themſelves, in their very forgeries; when in Lett. vi. Sect. 2. the Queen is made to ſpeak of Bothwell, as ſoon to be "fré to mary;" and when in the *French* contract ſhe declares herſelf free and ready to marry him, as ſoon as he is equally free, "lui eſtant en meſme liberté." And all is confirmed beyond a poſſibility of doubt, by Mary herſelf; when, in her inſtructions for the embaſſadour whom ſhe ſent into France on her marriage, ſhe directs him to tell her relations concerning Bothwell, That, "albeit he was befoir mareit, zit the mariage with him, the former contract and band, wes be ye ordoure of law—diſſolvit,—ſwa yat we on the ane part, and he on "ye uther ſyde, being bayth fré, ye mariage mycht "lauchfullie and weill aneuch be acumpliſſit be "ye lawis of yis realme †."

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Nor was the law of England different at the time. "A divorce for adultery," ſays Salkeld, "was *anciently* a vinculo matrimonii: and therefore, in the *beginning* of the reign of Queen Elizabeth, the opinion of the church of England "was, that, after a divorce for adultery, *the parties* "*might marry again*. But in Foliambe's caſe, "H. 44. El: [1601] in the ſtar-chamber, *that* "*opinion was changed*; and Archbiſhop Bancroft "[Whitgift], by the advice of divines, held that "adultery was only a cauſe of divorce a menſa "et thoro." Or, as this caſe is reported more fully by another lawyer, "Fuliambe,—having been "divorced from his wife for incontinency on her "part, married again during her life; and the ſecond marriage was declared to be void, *becauſe* "it was only a divorce a thoro et menſâ, and *becauſe* Archbiſhop Whitgift," who became archbiſhop in 1583 and continued till 1604, "affirmed "that ſeveral grave divines and civilians, whom he "had aſſembled at Lambeth to conſider that point, "did all agree that ſuch marriage was void *."

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", by the papiſticall court of the Archbiſchop of Sanct Androis," and alſo, as he would have added if he had not been a knave, by the proteſtant court of commiſſaries. "And here mark "how they juggle in ſacred things," when the proteſtants had been doing the very ſame with the papiſts: "for quhen "it pleiſeth them, they *untie the bond of marriage*, as *now*, and "as *we have ſeen in the firſt buik of this hiſtory*" (p. 405).

* Burn, ii. 448. edit. 4th, and Gibſon (2d edit.) 446 from Mo. 683. Gibſon however refers in 447 to ſome Saxon canons, which ſeem to prove the *preſent* doctrine of divorces, to have then

The law of England, then, coincided exactly with the law of Scotland at this moment. Both conſidered a divorce for adultery, to be a diſſolution of the marriage. Both permitted either of the parties to marry again. And Mary ſays accordingly in her inſtructions concerning her marriage with Bothwell, to her embaſſadour ſent into *England*; that a divorce had regularly taken place "beſoir oure marriage with him, and ſwa we mycht "lauchfullie conſumat ye ſamyn; FOR ITS NA NEW "THING, NEITHER IN SCOTLAND NOR ENGLAND *."

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then prevailed in our church. But, on examination, theſe appear to mean only *private* and *extra-judicial* divorces. See alſo Theodore's Canons, A. D. 673, Nº x. and Ecgbright's Excerptions, A. D. 740, Nº 119—124, in Johnſon's Collection of Canons. "Yet," as Johnſon remarks, "by Theodore's "Penitential publiſhed by Petit, the *innocent* party is *permitted* "*to marry again*—; nay, if the huſband *forfeits his liberty for* "*any crime*, the wife, being a free woman, is *allowed to take* "*another man*." One canon of the Penitential runs thus: "ſi cujus uxor fornicata fuerit, licet *dimittere* eam, et accipere "aliam;—*illa* veró, ſi voluerit pœnitere peccata ſua, *poſt* "*duos annos alium accipiat virum*—: ſi mulier *diſceſſerit* a viro, "*nolens reverti et reconciliari viro*, poſt quinque annos, cum "conſenſu Epiſcopi, *aliam liceat uxorem ducere*." All ſhows only *private* and *extra-judicial* divorces, to be meant in all theſe canons. And, as Johnſon adds, "our Reformers allowed "a diſſolution of marriage, for *deſertion*, *long abſence*, *mortal* "*hatred*, &c.; and, in *all* theſe caſes, *permitted a ſecond mar*"*riage*. See Reformatio Legum Eccl. de Adulterio et Di"vorc. c. 8, 9, 10." Gibſon's reference alſo in 447, to "5 Edw. VI. 10," for an act of parliament concerning a divorce, muſt be ſome miſtake of the pen or preſs.

* Anderſon, i. 107.

Nor was this wrong in itſelf. Prejudice indeed may deny the poſition. But let the great oracles of our religion ſpeak to it. "Whoever ſhall put "away his wiſe, EXCEPT IT BE FOR FORNICATION, "and ſhall marry another, committeth adultery; "and whoſo marrieth her which is put away, doth "commit adultery." This is clear and peremptory. Parties divorced for adultery, by the original inſtitutes of Chriſtianity, *may* marry again. Nor does the contrary ever ſeem to have been aſſumed as a truth, in this iſland; till the prudery of Puritaniſm broke in upon the common-ſenſe of Chriſtendom, and drew in the Scotch firſt, and the Engliſh afterwards, to mold their laws in contradiction to the latter. And yet both of us have been long obliged, to come back in part to the antient doctrine of our religion, and to the antient principle of our polity; in the awkward expedient, of making a ſpecial law for every caſe, of enabling one of the parties by name to marry, and of diſpenſing with the very laws which we ſuffer to remain. We ſo far riſe ſuperiour to our new prejudices, as to ſee the neceſſity of violating our laws, in favour of the innocent at leaſt; and yet we ſo far ſink under them, as to let the laws remain in their full operation againſt all thoſe, the great multitude of the nation, who are not able to bear the heavy expence, of purchaſing this papal kind of diſpenſation from the parliament.

In this ſtate of the law of Scotland, the proctor for Lady Bothwell began the ſuit. A citation was iſſued by the commiſſaries of Edinborough, Robert

Maitland, dean of Aberdeen, Edward Henryſon, doctor of laws, Clement Little, advocate, and Alexander Syme, advocate, on the 26th; for the appearance of Bothwell *. The application of the proctor for the citation, muſt have been prior by one or two days at leaſt. The order for the application, muſt have been many days prior. Both probably, and the latter certainly, muſt have been made and given before the ſeizure on the 24th. And the latter, as we have ſeen before, was actually given ſo very early as the 5th. But, in conſequence of the citation, the firſt meeting was upon the 29th, the next on the 30th, and the next upon the 1ſt of May †. Both the laſt days were taken up in hearing witneſſes. Her plea for the divorce, was *her huſband's adultery with one of her maids*, "Beſſie Crawfurde." Yet this was neither "trivial" in itſelf, nor "ſcandalous" to her. And ſentence was pronounced for her, on the 3d of May ‡.

But Bothwell alſo ſued for a divorce. His lady's ſuit, though ſhe herſelf was a papiſt, was upon good grounds and before good proteſtants. Yet he, though a proteſtant himſelf, applied to the eccleſiaſtical court of popery for a divorce. He was not doubtful of the iſſue of the other. Lady Bothwell was certain of a favourable ſentence, if ſhe proved (as in the univerſal opinion ſhe was ſure to

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[*] Appendix, N° x. [†] Robertſon, ii. 449. [‡] Ibid. 450. The clauſe of "trivial" and "ſcandalous," therefore, is omitted in the late edition.

prove) her alledged fact. But he had *now* a reaſon for wiſhing a divorce himſelf. He had *now* a view of marrying the Queen. This therefore had been ſuggeſted to him, only juſt before the grand meaſure of the bond; juſt before the bond was privately ſubſcribed by Murray; and, conſequently, juſt before Murray left Scotland on the 9th of April *. He caught at the ſuggeſtion, probably, with eagerneſs. The bond was ſigned by Murray, and embraced by Bothwell, in the parting evening probably before the 9th. But a divorce pronounced by the proteſtant commiſſaries, he knew, would not be conſidered by Mary, as equally valid with one from the regular and eccleſiaſtical judges. That at leaſt, as founded on *adultery* in Bothwell, however legal, would not appear ſo honourable in her eyes as *this*. And we ſee the obſervation ſtrikingly exemplified, in Mary's manner of ſpeaking concerning the divorce afterwards; when, in her inſtructions to her embaſſadours for England and France reſpectively, ſhe ſays the divorce of Bothwell was made "for *reſolute cauſis of* "*conſanguinitie* and *utheris*," or, more fully, "wes "be ye ordoure of law expreſſit *in the canonis*— "for *lauchfull cauſs of conſanguinitie*, and *utheris* "relevant, diſſolvit †." Bothwell accordingly applied to the ſpiritual court. He urged the *conſanguinity* of himſelf and his lady, being fourth couſins once removed, and never diſpenſed with. This was peculiarly calculated for a popiſh court;

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* Appendix, Nº x.

† Anderſon, i. 107, and 110—111.

as the other was for a proteſtant one. "Apud "judicus regios," ſays Buchanan, "accuſat uxor "maritum adulterii, quæ *una* juſta apud eos erat "divortii cauſa *." And the parties *therefore* applied themſelves, in this ſeemingly croſs manner, to the proteſtant and the popiſh courts reſpectively.

Nor was Bothwell's ſuit, any more than his lady's, commenced in conſequence of the ſeizure. It was not commenced, even with a view to that incident. The marriage was projected, when the ſeizure was not yet meditated; and when the ſoul of a Bothwell, probably, would have ſhuddered at the meditation. But the commiſſion for the cauſe was ſigned the 27th of April, and the citation iſſued on the 3d of May †. Yet the *order* for the commiſſion muſt have been prior to the ſigning, by one or more days; by as many perhaps, as the ſigning of the commiſſion was prior to the iſſuing of the citation. The application for the order, alſo, muſt have been prior to the order itſelf; and the proxy muſt have been antecedent to all, and therefore anteriour by ſeveral days to the ſeizure on the 24th. The plan of the ſeizure, and the ſcheme of the rape, were both fabricated together in the brain of Bothwell, as we have ſeen, under that dark cloud of deſperation, which had been ſpread over him by Mary's rejection of him, on Sunday the 20th of April. But the plan of the divorce muſt have been prior to both, coæval with

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* Hiſt. xviii. 356.

† Robertſon, ii. 450.

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the firſt project for marrying Mary, and formed as early as the 7th or 8th of April.

The plea which he put in, though "trivial" enough to us proteſtants, was not ſo in the eyes of papiſts; and was certainly not "ſcandalous," in the opinion of either. The degrees of conſanguinity had been judicially aſcertained before, on February 21ſt, 1565-6, and in the very ſame court; with a view to the procurement of a diſpenſation *. But the parties had been married immediately, and without one †. The conſanguinity, therefore, needed no proof at preſent. The marriage without a diſpenſation, wanted alone to be proved. This was ſoon done. One day finiſhed the examinations, of the biſhop who married them, and of the perſons who were preſent at the marriage. And the judge pronounced, as he was obliged to pronounce, in favour of the divorce ‡.

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* Tytler, edit. 3d. Appendix, 25—26. Yet Buchanan in his Detection (Anderſon, ii. 34, and Jebb, i. 244), with all a bold knave's bravery of fraudulence, ſays, that "Bothwellis *wyfe* was compellit in *twa* courtis to ſue *ane* divorce "aganis hir huſband;" that "beſoir judges delegate appointit "be the Quenis authoritie to have juriſdictioun in ſic cauſis, "the wyfe accuſis the huſband of adulterie, quhilk with thame "was ane juſt caus of divorce;" and that "beſoir papiſche "judges,—Bothwell was accuſit," *not* that by the popiſh laws he was too near of kin to his wiſe, and had not been diſpenſed with, as it ſhould be, *but* "that, *beſoir* his mariage "with his wyfe, he had committit fornicatioun with his "wyfe's *neir kinniſwoman*." There is alſo the ſame audacity of impoſition, in his Hiſtory, xviii. 356.

† Tytler, ibid. and Robertſon, ii. 450 and 451.

‡ Robertſon, ibid

The co-exiſtence then of theſe two ſuits, which has ſo long been urged as an evidence of colluſion between Bothwell and his wife, is a deciſive argument to the contrary. Had *he* been the inſtigator to *her* ſuit, and the inſtigator with a view to Mary; we ſee directly from his own ſuit, that *ſhe* would have acted in a very different manner. She would not have thrown impediments in the way of their common views, by branding him un-neceſſarily with the crime of adultery, and by grounding the divorce upon adultery in him. No! She would have applied at once, as he did afterwards, and as ſhe, a papiſt, might with more propriety have done, to the ſpiritual court; and have procured a divorce for conſanguinity. This is demonſtrably plain from the conſecution and the quality of *his* ſuit, contraſted with *hers*. But ſhe having already commenced one ſuit before the commiſſaries; and he himſelf having now a deſire to be divorced, in another form, and with a view to Mary; he was obliged to commence a ſuit himſelf, and ſo to be divorced *twice* from the ſame woman. And he has thus ſhowed us in the moſt convincing manner, that he and Lady Bothwell were in no colluſion at all, that *ſhe* purſued her own primary and natural plan in *her* ſuit, and that *he* purſued his own new and poſteriour plan in *his*. Indeed *his* appears to have been ſuggeſted to him by the original recommenders of it, *in conſequence* of *hers*; and ſuggeſted on the 7th or 8th of April, in conſequence of her openly beginning *bers*, by openly ſigning the proxy on the 5th before.

There was no colluſion, therefore, in the two principals. Where was alſo the *injuſtice* in the two courts? I can ſee none. The fact of conſanguinity, we are ſure, and the commiſſion of adultery, we have full reaſon to believe, were clearly proved. This being the caſe, there could be no *injuſtice*. But, adds Dr. Robertſon, there was "an indecent "and ſuſpicious precipitancy." To be ſure, there was not what we now ſo fully expect in all ſuits, the tediouſneſs of law ſuperadded to the uncertainty of it. Yet there ſeems, notwithſtanding, to have been ſome precipitancy. This was no amicable ſuit, which *he* did not oppoſe in her court, and *ſhe* did not reſiſt in his. He *did* oppoſe hers, and *ſhe* did reſiſt his. Before the commiſſaries, "for the ſaid Erle compeared Mr. Edmond Hay, "who, efter he had *purſued and craved the purſuer's procurator's oath* de calumniâ, if he had "juſt caus to purſew the ſaid action, and *obtained* "it, *denyed the libell*: and the ſaid Mr. Harrie," Lady Bothwell's proctor, "took the morne— "to prove the ſame pro prima." Before the ſpiritual court too, "compeared the ſame procurators "for both the parties, that were in the former "proces— ; and the procurator for the lady *inſtanter* objecit objectiones juris generaliter contra "productæ [producta]*." Each therefore reſiſted and oppoſed the other's ſuit. This again ſhows, that there was no colluſion between them. But this would take up the more time. It conſequently makes the precipitancy to ſeem more apparent. Nor can we, in oppoſition to this evidence, alledge our total want of information, how long ſuch ſuits laſted in ſuch courts at the time. Nor can we attribute our ſuſpicions of the precipitancy, to borrowed principles and to modern ideas. The precipitancy is too plain. And we have only to enquire, *to whom* it ſhould naturally be imputed; whether, as Dr. Robertſon inſinuates, to the Queen, then kept a "captive, environed "with a continual guard of 200 harquebuziers, "as well day as night, wherever ſhe went;" or, as common-ſenſe ſuggeſts, to thoſe who ſo kept and ſo environed her.

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* Robertſon, ii. 450 and 451.

The rebels indeed accuſed the courts at this time, as Dr. Robertſon does now, of this unuſual hurry. Yet their accuſation, however true in the ſubſtance, is repelled at once by its contradictorineſs to itſelf, and its oppoſition to hiſtory, in the circumſtances. In the text here, "the proceſſe of "divorce" is ſaid to have "not begunne before the "*firſt of May*;" when, from the rebel journal itſelf, the citation appears to have been iſſued upon the 26th of April, and the proxy to have been ſigned on the 5th preceding. In the text alſo, the proceſs, which is ſaid to have not begun before the firſt of May, is equally ſaid to have "yet with "ſpeed ended within *eight* days:" when the proceſs before the commiſſaries of Edinborough, continued *at leaſt* from ſome day or days previous to April the 26th, the date of the citation, up to May the 3d, the day of the ſentence, incluſively; and when that before the eccleſiaſtical court, from ſome days prior to April the 27th, the day of the ſecond citation, up to May the 7th, the date of the ſecond ſentence, incluſively; *at leaſt* nine and thirteen days, reſpectively. But the rebels were much more daring in their aſſertions concerning both, at firſt. In a memorial, which Craig, the bold miniſter of Edinborough, gave in to the general aſſembly on December the 30th 1567; he affirms "the ſuddane divorcement, and proclaming of banns," to have been done within the "ſpace of *four* days *." Even in a proclamation, which the rebels preſumed to iſſue on the 12th of June before, and at the very outſet of their rebellion; they were hardy enough to maintain, that "al the proces and ſentences theirof begun, endit, "and ſentence given thairintill within twa daies †." This laſt is the very authority, to which Dr. Robertſon refers us; when he declares the ſentence to have been pronounced, "with the ſame indecent and ſuſpicious precipitancy" in both the courts. He choſe to overlook the eight days of Murray's colleagues, in the text here. He even choſe to overlook, the four days of his favourite Craig. He carefully pitched upon the *minimum*

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* Anderſon, ii. 280. Knox, 406, moſt falſely makes him ſay, "within *ten* days.

† Anderſon, i. 133.

quod of the rebels [*]. Nor would he obſerve the ſtriking contrariety of all to each other, and the additional contradiction of all to Buchanan, who ſays the ſuit was ended within *ten* days; "intra "decimum diem, lis ſuſcepta, diſceptata, et diju-"dicata eſt [†]." We have thus *ten*, and *eight*, and *four*, and *two* days, aſſigned by the very rebels themſelves at different periods, for the very period and continuance of theſe ſuits. And, amidſt aſſertions that claſh ſo loudly on our ears, let us liſten to the voice of truth, in the Memoirs of Crawford. There we find, that in both the courts "the buſi-"neſs was *ſoon* decided; for in ten days time MOR-"TON, MURRAY" (by his letters left behind him), "and THE REST OF THAT FACTION, having SE-"CRETLY USED THEIR INTEREST TO HAVE IT "DISPATCHED, ſentence was pronounced in both "courts [‡]." We thus ſee the precipitancy of the ſentence aſcertained by the teſtimony of hiſtory; and authority concurring with common-ſenſe, to ſhow it all occaſioned by the rebels themſelves. We have alſo a curious ſpecimen of *ſlanderous addreſs* in the rebels, in attributing their own and Bothwell's criminality, to Bothwell and the Queen;

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[*] In the late edition of his work, he advances backward into *four*; ſays expreſsly, that each ſuit laſted "four days" (i. 43), as Mr. Hume had ſaid before (v. 116); and yet refers us to his old authority ſtill, "Anderſon, i. 132," which actually ſpecifies *two*, and to a new authority of his own, Appendix, N° xx. (p. 449—450 of the old editions), which in real ſittings, the only days noticed, actually reckons up *three*. So perplexed is the Doctor here!

[†] Hiſt. xviii. 356.

[‡] Memoirs, 21.

and in laying on the head of the innocent Mary, the load of their own infamy. And we view the rebels treating the two courts, as we believe the devils will treat all ſinners; charging them violently with the very guilt, into which they themſelves had ſeduced them; and, what perhaps the devils will equally do, ſeemingly invalidating the juſtneſs of their own accuſations, by their own facility of falſification, and by their own contradictorineſs of imputation, in accuſing them.

But, though the courts had been drawn into this rebel precipitancy of conduct, in pronouncing ſentence; yet the ſentence itſelf was ſtrictly right. Murray indeed pretended to charge one of the courts, the ſpiritual, with ſome criminality in its ſentence. It was a popiſh court. It would readily be believed, therefore, to be corrupt. He charged the judge in it, with being *forced* to give ſentence as he did. And he actually produced what he calls, "an inſtrument of compulſion;" ſome letter, I ſuppoſe, written by we know not whom, and threatening we know not what; but "proving "the ſaid judge to have been conſtranit, to leid "the ſaid proceſs of divorce [*]." This ſuggeſtion however, like many other ſuggeſtions of forgery, attempts to prove too much, and ſo defeats itſelf. The idea of force upon an aſſembly held at St. Giles's church in Edinborough [†], and that force exerted by a written inſtrument, is too ridiculous for belief. Even Dr. Rob~~in~~ertſon rejects it. He ſpeaks indeed of Bothwell's "*authority* having greater weight, "than the juſtice of his cauſe;" but he thus ſubſtitutes influence for force *. He afterwards rejects both the force and the influence together, upon "the juſtice of the cauſe;" as he makes the "precipitancy" alone to be "ſuſpicious." And he extends the "precipitancy" and the "authority," equally to *both* the courts; when Murray confines the "force" to *one* alone. The exiſtence of *influence* from Bothwell, over either of the courts in their ſentence, even Murray himſelf denied; when he had recourſe to forgery, in proof of *force* from Bothwell upon one of them. Nor did forgery do more than half its work, when it attempted to prove force only upon one. Both muſt be proved to be forced, or the cauſe is deſperate. But that the four proteſtant commiſſaries of Edinborough were forced, even Murray did not attempt to prove. Clement Little, one of the four, Alexander Syme, another of them, and Robert Maitland, another, three out of the four, we know to have been attached to the faction †. The regiſter of the kirk-aſſembly, alſo, acknowledges even in December 1567; "that the "Quenis Majeſtie's commiſſioun" was "given "therintill to ſick men, *who for the maiſt part was* "*our brethren* ‡." And that charge of compulſion, which Murray brought ſo formally againſt *one* of the courts; of which Dr. Robertſon, with his *uſual prudence*, omits all mention, that he may not notice what he cannot believe, and may not lead to the detection of forgery in a friend; but for which he has ſubſtituted the influence of Bothwell over *both* the courts; this is all thrown back at preſent in the very face of the rebels, and turned into a poſitive authority for the influence of the rebels themſelves upon both.

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[*] Goodall, ii. 87.

[†] Robertſon, ii. 450.

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* In the late edition, therefore, the words are theſe; "the "*influence* of Bothwell was of equal weight in both courts," i. 434.

† Melvill, 117, Keith, 586, for Little and Syme; Keith, 524, 528, and 534, for Little again; and 555 for Maitland.

‡ Keith, 567.

On the whole, then, the only fault of the courts was that precipitancy, into which the influence of the rebels led them. Yet even this influence did not affect the quality of their determinations. They determined rightly and juſtly. Accordingly, Mary herſelf aſſures us, in her ſeveral inſtructions to her embaſſadours ſent to Paris and London; "that, "abbeit he [Bothwell] was befoir mareit, zit the "mariage with him, the former contract and band, "wes be ye ordoure of law expreſſit in the canonis, reſſavit and practeyſit in the realme, for "lauchfull caus of conſanguinitie, and utheris relevant, diſſolvit, and the proces of divorce ordourlie led;" or, in other words, "yat be ye "lawis reſſavit within oure realme, and oft times "practiſit, as is notour eneuch, his [Bothwell's] "formar marriage wes diſſolvit, and the proceſs of "divorce ordourlie led*." Nor need we reſt the point upon the authority of Mary alone. We may bring in the rebels themſelves, to confirm her teſtimony. They pretended indeed to call her marriage with Bothwell unlawful, becauſe it was founded on an unlawful divorce. They aſſerted this repeatedly and formally, in their proclamations at the beginning of their rebellion. They even confederated together, as they alledged, in order to diſſolve this unlawful marriage *. But, when they had ſerved their preſent purpoſes by the allegation, they totally neglected it afterwards. They did even more than neglect it. In 1569, when Mary ſolemnly required them to examine the marriage, and to pronounce it void if it was unlawful, the anſwer returned was that conſummation, even of *their* vulgarity and impudence; requiring her, if ſhe wanted to have the marriage diſſolved, to write to the King of Denmark, who then had Bothwell in his hands, and deſire him to put her huſband to death †. This burſt of barbarity ſhows us very plainly, that they conſidered the divorce as legal, whatever they pretended to the contrary. And they, and all the nation, appear plainly to have thought the ſame: as Lady Bothwell eſteemed herſelf from the firſt, to be legally divorced; as from the firſt ſhe avowed boldly to the very face of the rebels themſelves, that ſhe would always maintain her divorce to be legal; as the rebels themſelves, in their very forgeries, acknowledge it to be lawful, by calling her brother Huntly "the brother-in-law that *was*" to the divorced Bothwell; and as the very aſſembly of the kirk, in the very month of December 1567, and in their very condemnation of the Biſhop of Orkney for marrying the Queen and Bothwell, condemn him only "in "marieing the *divorcit* adulterer *."

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* Anderſon, i. 100—101, and 106—107.

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* Anderſon, i. 131, 136, 139; and Robertſon, ii. 371, 375—376.

† Crawford, 128—129.

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* Lett. vii. Sect. i. and Keith, 586.

The rebels in the variety of their falſhoods, *once* inſinuated Lady Bothwell to remain in Bothwell's houſe *after* the divorce, in expectation of *his murdering Mary and her ſon*, and in hope of *mounting the throne of Scotland with him*. "What reſted," they ſay, for Bothwell "to finiſh the work begun, and to ac"compliſh the whole deſire of his ambitious heart; but to ſend "the ſon after the father; and as might be ſuſpected, *ſeeing* "*him keep another wife in ſtore*, to make the Queen alſo drink "of the ſame cup, to the end he might inveſt himſelf with "the crown of the realm?—It behoved us aſſuredly, to have "recommended the ſoul of our Prince—to God's hands, and, "as we may firmly believe, the ſoul alſo of our Sovereign the "Queen; who ſhould not have lived with him half a year to "an end, as may be conjectured by the ſhort time they lived "together, and *the maintaining of his other wife at home at his* "*houſe*" (Keith, 418). This is ſuch a falſhood, as refutes itſelf ſufficiently by its own wildneſs of calumniation. It is indeed a part of that great ſyſtem of impoſition, the pretended colluſion between Bothwell and his lady concerning the divorce. And any point, aſſerted or inſinuated by ſuch detected falſifiers for their own ſervice, can gain credit only with thoſe, who wiſh to believe in them, and who would be happy to be deceived by them.

In this, as in moſt of the falſhoods,

——Rebellion-had ill luck.

The rebels uttered this falſhood on July the 20th 1567 (ſee Keith, pref. xi.). But, on the 22d of Auguſt following, their friend and aſſociate, Throgmorton, unwittingly refuted it. "The Lady Bothwell," he ſays, "ſiſter to the Earl of Huntly, "paſſed through this town," Edinborough, "within theſe two "days; and is gone to her mother and brother in the North

"parts:

But I wiſh to add two remarks to what I have ſaid. They reſult from the facts before. And they tend ſtill farther, to correct this abuſed portion of the Scottiſh Hiſtory.

Dr.

“ parts: ſhe hath PROTESTED to the lady of Murray in this “ town, that ſhe WILL NEVER LIVE WITH THE EARL “ BOTHWELL, NOR TAKE HIM FOR HER HUSBAND” (Keith, 450). She had reſided, it ſeems, from the time of the divorce to the 20th of Auguſt, for three or four months, ſomewhere to the ſouth of Edinborough. There ſhe muſt have heard her own divorce from Bothwell, and his marriage with the Queen in conſequence of the divorce, pronounced by a rebel proclamation on June the 12th, “ ane *pretendit* divorcement,—maide and *wrangouſlie led*;” and “ ane *unhoneſt* mariage,—*quhilk from the beginning is null and of nane effect*, “ for ſundrie cauſis knawn, als weill to utheris nationis and “ realmes, as to the inhabitantis of this common-weall, and “ als *expreſs contrair to the lawe of God, and trew religioun profeſſit within this realme*” (Anderſon, i. 131—132). There ſhe muſt have equally heard, that in the publick bond of aſſociation on June the 16th, the rebels equally aſſerted her late huſband, “ in order to make his *pretendit* mariage, whilk “ ſhortlie followit, the mair valiabill,” to have “ uſit the “ order of divorſe, as weill befoir the ordinarie commiſſaries, “ as in forme and maner of the Roman kirk; declairing that “ he was of no kind of religion, as the ſame *unlauchful* mariage, ſuddenlie thairaftir accompliſhit on baith the faſhionis, “ did manifeſt and teſtifie, albeit *nouther of Goddis lawe, nor* “ *na lawe made be man, of quhatſomevir religion, micht the* “ *ſamyne mariage leiſumlie haiff ben contractit*” (Anderſon, i. 136). There alſo ſhe could not but have heard, that the rebels were *profeſſedly* intending to diſſolve the marriage, by *annulling the divorce*; and that, on the 20th of July, they had publickly inſinuated *her*, in an open memorial to the Engliſh embaſſadour, to have been acting colluſively with her late huſband in the divorce, to have been waiting in his own houſe for his murder of the Queen and the Prince, and to have been

there

Dr. Robertſon and Dr. Stuart agree in aſſerting, upon the authority of Knox; that, in the winter of 1566–7, Mary reſtored the antient juriſdiction of the archbiſhop of St. Andrew's, and ſo revived the eccleſiaſtical courts of popery again. Dr. Stuart ſays, that ſhe thus "thought *to give a blow* to the "powers of the commiſſaries, who *after the Re-* "*formation* were entruſted *to exerciſe authority in* "*eccleſiaſtical concerns.*" And Dr. Robertſon ſays, that ſhe thus "deprived the commiſſaries of *all* "authority *;" who, he tells us in another place, when "the ſpiritual court had been aboliſhed by "the parliament 1560,—were appointed to hear "and determine the cauſes, which formerly came "under their cognizance †." Theſe aſſertions are certainly untrue, and equally in circumſtance and in ſubſtance.

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there expecting to aſcend the throne with him, on the event. In this ſituation, it behoved her to exert herſelf. The laſt intelligence would particularly ſtimulate her. It would naturally be ſome time in reaching her. But it ſeems to have rouzed her effectually, when it came. She left the ſouth. She ſet out for the north. There all her relations lived. But ſhe took care to ſtop at Edinborough, in the way. There ſhe called upon LADY MURRAY herſelf, the wife of him, who only ſix days before came home to take the regency, who had had it offered to him in form a day or two before he came (Melvill, 87), and who actually took it only two days afterward (Appendix, N° x). And to *her* ſhe could *authoritatively* declare, as ſhe did, That, whatever Murray's party might ſay or do, ſhe knew the divorce to be lawful, ſhe would always conſider it as lawful, and ſhe would always act upon it as lawful.

* Robertſon, i. 393, and Stuart, i. 184. † i. 392. So Keith alſo in 383.

The commiſſaries were not appointed in 1560, as Dr. Robertſon avers, or immediately "after the "Reformation," as Dr. Stuart intimates. According to Dr. Stuart himſelf in another place, they were not appointed before 1564, three years poſteriour even to the arrival of the Queen. Under that year he remarks, that "the Queen erected courts "in convenient diſtricts, in which officers preſided "under the name of commiſſaries *." In fact, they were not *ordered* till the 28th of December 1563. They were not *appointed* till the 12th of March 1564; when Mary gave them ſome inſtructions, which, ſays Dr. Robertſon, "are ſtill of great au-"thority in that court †." Nor were they either appointed or ordered, as both the Doctors affirm, in *ſuperſedence* of the eccleſiaſtical courts before. They were merely to act in *conjunction* with them, and for the quicker diſpatch of cauſes. This is very plain from a publick record, even the very record which originally ordered the commiſſaries. In an act of privy council dated December 28, 1563, the Queen ſays: that "undirſtanding—the "cauſis, quhilks the poir liegis of this realm had "decidit in THE CONSISTORIE of befoir, *be lang* "*delay of juſtice are fruſtrat*, and *thai compellit to* "*leif the ſoit* [suit] *of the ſaidis cauſſis*; thairfore, "and that the ſaidis cauſſis may haif *the mair ſum-*"*mar proces* and *ſchortar end*," ſhe "hes thocht "gude that *juriſdictionis be erectit in ſundrie partis* "*of this realm*, and that COMMISSARIS be appointit

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* i. 79.

† i. 393.

"to gif attendence thairupoun *." The eccleſiaſtical courts, therefore, continued acting to that day; whatever "the pretended parliament of Auguſt 1560" might order to the contrary †; and whatever Dr. Robertſon may endeavour to found upon their order, by converting power into right, and by reducing commands into practices ‡.

But their modes of proceeding were ſlow. Commiſſaries were therefore appointed. Theſe were equally to undertake the hearing of cauſes, for the more expeditious adminiſtration of juſtice. They accordingly went on in their own courts, while the eccleſiaſtical officers went on in theirs. And we ſee the fact livelily diſplayed before our eyes, in Lady Bothwell ſuing for a divorce before the commiſſaries, and in Earl Bothwell ſuing for one before the metropolitical court of St. Andrew's, at the very ſame time.

So little was Mary guilty in 1566, as even her good friend Dr. Stuart charges her to have been; of "an enormous breach of the conſtitution, and a "flagrant violation of repeated proclamations to "uphold the proteſtant eſtabliſhment §." She was to maintain the eſtabliſhment and the conſtitution, in the form in which ſhe found them. She particularly found the old conſiſtory ſtill remaining. She continued it. She owed juſtice to her popiſh, as well as her proteſtant, ſubjects. Yet with the natural deſire of a woman, and an amiable woman, to ſatisfy (if poſſible) the turbulence of proteſtantiſm;

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* Keith, 250—251. See alſo Nº xiv. hereafter.

† Ibid. 152.

‡ i. 392.

§ i. 184.

ſhe broke through the rights of the papiſts, ſhe erected new and proteſtant courts in addition to the eccleſiaſtical and popiſh courts before, and ſhe gave them equally the hearing of eccleſiaſtical cauſes. She did this. And then with the gratitude, which the proteſtants always ſhowed her in return for her indulgencies to them, Knox, that fiery comet of preſbyterianiſm in figure, and in fact that rival to Buchanan in all the boldneſs of falſification and ſlander, aſſerted her to have broke in upon proteſtantiſm, when ſhe had actually broke in upon popery; and affirmed her to have ſuppreſſed the commiſſaries, and reſtored the eccleſiaſtical courts, when ſhe had actually deprived the courts of their *excluſive* juriſdiction, and given half their authority to her new-created commiſſaries. Miſled by this confidence of lying, even Dr. Stuart in 1566 thought the eccleſiaſtical courts to have been long ſuppreſſed, the commiſſaries to have been long appointed in their room, and thoſe to have been then erected again upon the ruins of theſe. And Dr. Robertſon, who had drunk deep of the poiſoned bowl of ſlander, reached out by the foul hands of a Knox and a Buchanan; even averred Mary, by this re-erection of the courts, to have "deprived the commiſſaries of all authority."

Yet, what is remarkable in itſelf, and ſhows at once the contradiction of Knox's falſhood to facts, the very contrary of their own aſſertions appears even in their own hiſtories. Thoſe very commiſſaries, to whoſe powers "Mary had given a blow" about December 1566, according to Dr. Stuart, are ſound only in the April and May following, according to himſelf, hearing Lady Bothwell's ſuit of divorce. "The lady," he ſays, "commenced "a ſuit againſt Bothwell in THE COURT OF THE "COMMISSARIES, charging him as guilty of adul-"tery with one of her maids *." Dr. Robertſon alſo, who has already "deprived the commiſſaries "of *all* authority," in a few pages produces Bothwell ſuing "before proteſtant—judges,—IN THE "COURT OF COMMISSARIES †." And Buchanan therefore, with a happier combination of circumſtances, becauſe with a wilder aberration from fact, aſſerts the eccleſiaſtical judges to have been totally aboliſhed by the law before, and to have been reſtored merely for the trial of this ſingle cauſe. One ſuit, he ſays, was "apud officiales, quos vo-"cant, judices epiſcopales, etſi decreto publico "vetitos *quicquam* pro magiſtratu agere, aut *ullam* "negotii publici partem attingere,—tamen ab "archiepiſcopo Fani Andreæ *ad hanc litem cognoſ-"cendam* datos ‡."

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* i. 219. † i. 419. The only alteration, which he has here made in his laſt edition, is changing Bothwell into his lady. "He prevailed with Lady Jane to apply to the pro-"teſtant COURT OF COMMISSARIES" (i. 433—434).

‡ Hiſt. xviii. 356. Dr. Robertſon alſo, in his late edition, has adopted this aſſertion of Buchanan's. Bothwell, he ſays, ſued "in the ſpiritual court of the archbiſhop of St. Andrew's, "*the juriſdiction of which the Queen had reſtored*, by a ſpecial "commiſſion *granted for this purpoſe*" (i. 433). But he does this, to the wonderful contradiction of what he has ſaid before; when he tells us in i. 392. edit. ivth, and equally in i. 403—404. edit. xith, that the Queen "iſſued a *proclamation* reſtoring

The court of commiſſaries and the eccleſiaſtical court, indeed, had gone on from the inſtitution of the former to the preſent moment, acting in union together, and equally hearing eccleſiaſtical cauſes. Lady Bothwell brought her ſuit before the one, Earl Bothwell brought his before the other. The proteſtant did not ſuppreſs the popiſh judicature. The popiſh did not cruſh the proteſtant. Each even acted as a ſpur upon the other. Both became emulouſly quick and expeditious, in the determination of cauſes. Hence, no doubt, they were both of them ſo very active as we have ſeen them, in diſpatching theſe two cauſes. And we additionally find the eccleſiaſtical court in particular, at the inſtance of the very ſame parties, and in order to lay the grounds for a diſpenſation to them, buſy in aſcertaining the degrees of their conſanguinity, even ſo early as the 21ſt of February 1565–6; at the very

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" the archbiſhop," and that this was " a ſhort time before " the meeting of the aſſembly," which met on December the 25th, 1566 (Keith, 563). And a commiſſion was granted therefore, or (as the Doctor ſays in the other place) a proclamation was iſſued in the month of *December* 1566, for paſſing a ſentence of divorce in the *May* following; though *Bothwell* had not then any *thought* of a *divorce*, though even his *lady* had none then, and though even *Mary* herſelf was not then *a widow*. There has alſo been ſome confuſion, made in the memorial of Robertſon, ii. 450. The words run thus at preſent; " was a " commiſſioune grantit *to* the archbiſhop—*and* Robert, biſhop " of Dunkeld," &c. But they ſhould run thus; " *by* the arch- " biſhop—*to* Robert," &c. The commiſſion was *from* the archbiſhop, not *to* him. So Buchanan ſays here, " *ab* archie- " piſcopo." So Goodall, i. 369, actually ſtates the clauſe to be. And ſo the context and common-ſenſe unite to ſhow it ſhould be.

very time when an eccleſiaſtical court is ſaid to have been abſolutely non-exiſtent in Scotland, NINE OR TEN MONTHS at leaſt before Knox's pretended revival of the court, and FIFTEEN OR SIXTEEN before Buchanan's *.

But I proceed to the other point. The only faithful hiſtorian of Mary's life, has ſuffered himſelf to be led into another miſtake, which my account above ſerves equally to rectify. It is with pain, that I point out *theſe ſpots in the ſun.* My only view is, to clear the annals of Mary from ſome of the many errours, with which, I fear, the ignorance, the negligence, and the falſhood of her *firſt* hiſtorians have ſtill clouded them. "*Six* "*months* before the adventure of Dunbar," ſays Dr. Stuart †, "he," Bothwell, "had married Lady "Jane Gordon." Melvill here miſled him, as Knox did before. Melvill is as little to be truſted for a date, as Knox is for a fact, againſt Mary. Bothwell, ſays that writer, "had *ſix months before* "married the Earl of Huntly's ſiſter ‡." Melvill indeed goes farther back than Dr. Stuart, even to the riſing reports of Bothwell's intent to marry the Queen, and to a period between the murder of her huſband and the ſeizure of her perſon. But he is as much miſtaken in this account, as he is in a variety of others. In the record of the eccleſiaſtical court, which ſettled the degrees of conſanguinity between Bothwell and his intended wife, and to which I have referred before; it is plain, that the marriage was already agreed upon, on the 21ſt of February 1565–6 *. And from the cotemporary minutes concerning the divorce, to which I have equally referred before, it is alſo plain; that the ſaid marriage took place in a few days afterward, and before the expiration of the month †; about FOURTEEN months before the impriſonment of Mary at Dunbar, and near TWELVE before the murder of Darnly.

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* Tytler, edit. 3d, App. 26. † i. 219. So likewiſe Hume, v. 115. ‡ P. 78. So Keith alſo in 383.

" After the deviſe of the murder was determined,
" as it ſeemed by the ſequell; they inferred upon
" a letter of hir own hand, that there was another
" meane of a more cleanly conveyance deviſed to
" kill the King. For there was a quarrell made
" betwixte him and Lord Robert of Holie-roode-
" houſe, by carying of falſe tales betwixte theme,
" the Quene being the inſtrument, as they ſayde,
" to bring it to paſs; which purpoſe, if it had taken
" effect, as it was very likelie (for, the one geving
" the lye to the other, they were at daggers-draw-
" inge), it had eaſed them of the proſecution of the
" deviliſh fact; which, this taking none effect, was
" afterwards moſt tirranouſly executed (1).

" Afterwards they ſhewed unto us one horrible
" and long letter of her own hand, as they ſaye,
" conteining foule matteir, and abominable to be

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* Tytler, edit. 3d. App. 25 and 26. † Robertſon, ii. 450.

"either thought of or to be written by a prince; "with diverſe fond ballades of her own hand: which

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(1) This is a moſt ridiculous accuſation againſt the Queen. The King, and her natural brother Lord Robert, quarrelled, gave the lye to each other, and were juſt drawing their ſhort ſwords, each againſt the other. And therefore ſomebody had made the quarrel between them, in order—to have the King murdered. So Sir Roger de Coverley's anceſtor was very like to have been killed at the battle of Worceſter, becauſe he was ſent away on ſome buſineſs—only the day before. On this ſtrange likelihood, however, the rebels had even founded a letter. And they give us a pretty circumſtantial account of the letter, in their journal *. The quarrel was probably real. Nor let the King be thought to have been then too weak, for one. He was not ſo weak as we may ſuppoſe. "He was "newly recoverit," ſays Buchanan, and "he began "to go abrode †." But it is very obſervable, that, according to Buchanan's *own account* of this quarrel, the *Queen* actually *interpoſed to put an end to it.* "About thré dayis befoir that the King was ſlane, "ſcho practiſit to ſet hir brother Lord Robert and "him at deidlie feid; making reckning that it ſulde "be gayne to hir, quhilk ſa ever of thame baith "had periſchit. For mater to ground thair diſſen-

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[*] Nº x. of this Appendix.

[†] Detection, 74, Anderſon, and 262, Jebb.

“ tioun, ſcho maid reheirſall of the ſpeich, that the
“ King had had with hir concerning hir brother:
“ and quhen thay baith ſa grew in talk, as the ane
“ ſemit to charge the uther with the lie, at laſt thay
“ wer in a maner cum from wordis to blawis. Bot
“ quhil thay wer baith laying thair handis on thair
“ wappinis, *the Queen*, fenzeing as thocht [though]
“ ſcho had bene *perrillouſly effrayit* of that quhilk
“ ſcho erniſtlie deſyrit, *callit the Erle of Murray*,
“ hir uther brother, *to the parting* *.” That the Queen was an artful fomenter of quarrels, no one will believe, I think, who knows any thing of human nature or of her. She had too much of the amiable weakneſs of a confiding credulity about her, to be ſuch a woman. But Murray was exactly that character. He in all probability was the real cauſe of the quarrel. He delighted in the work of miſchief. And Mary, by the very confeſſion of her ſlanderer, took fright at the tendency to drawing ſwords in them, and called in Murray to part them.

Lord Robert had been peculiarly attached to Darnly. He is, ſays Randolph, the Engliſh reſident, in a letter of March 20, 1565, “ vain and
“ nothing worth, a man full of all evil, the whole
“ guider and ruler of my Lord Darnly †.”

“ letters, ballades, and other writings before ſpecified,
“ weare cloſed in a little coffer of ſilver and

* Detection, 18—19, Anderſon, and 243, Jebb. † Keith, 272.

" gilte, heretofore geaven by her to Bothwell. The
" ſaid letters and ballades do diſcover ſuch inordi-
" nate love betweene her and Bothwell, her looth-
" ſomeneſs and abhorringe of her huſband that was
" murdered, in ſuch ſorte, as everie good and godlie
" man can not but deteſt and abhorre the ſame.

" And theſe men heare do conſtantlie affirme
" the ſaid letters and other writings, which they
" produce of her own hand, to be her own hand
" indede; and do offer to ſwear and take their oaths
" thereupon: the matteir conteyned in them being
" ſuch, as could hardlie be invented or deviſed by
" any other than by herſelfe, for that they diſcourſe
" of ſome things, which weare unknowen to anie
" other than to herſelf and Bothwell. And as it is
" hard to counterfiete ſo manie, ſo the matter of
" them, and the manner how theſe men came by
" them is ſuch; as it ſeemeth that God (in whoſe
" ſight murder and bludſhed of the innocent is
" abhommable [abominable]) wolde not permit
" the ſame to be hid or concealed.

" In a paper here incloſed, we have noted to your
" Majeſtie the chiefe and ſpeciall points of the ſaid
" letters, written (as they ſay) with her own hand,
" to the intent it may pleaſe your Majeſtie to con-
" ſider of them, and ſo to judge whether the ſame
" be ſufficient to convince her of the deteſtable
" crime of the murder of her huſband; which in our
" opinions and conſciences, if the ſaid letters be
" written with her own hand, is verie hard to be
" avoided: moſt humblie beſeaching your Majeſtie,

" that it may pleaſe the ſame to advertiſe us of your
" opinion and judgment therein (1) * . . . . ."

(1) To the account given of the bond in this article, I wiſh to ſubjoin a few remarks, which have been additionally ſuggeſted to my mind, on this tranſcription of it.

" In *prouſe* that they did it," did ſubſcribe the bond, " not willinglie; they procured a *warrant*— " ſigned with the Quene's hand; whereby ſhe gave " them licence to agree to the ſame." Yet what proof was this? Did the Queen's warrant *command* them to ſign? Did it denounce *pains and penalties*, if they did not ſign? Or did it even intimate her *high diſpleaſure*, if they did not? It neither intimated, denounced, nor commanded. It only, according to their own account, " gave them LICENCE to agree " to the ſame." And what *proof* then could it be, " that they did it not willinglie?" But, even if it could be, did they not " PROCURE" it themſelves? Do not they *own* that they did? And is not *this* a *full* proof, and the *fulleſt* of all proofs, that they did the other " willinglie?"

" Before they had ſuch warrant, there was none of " them that did or wolde ſet to their hands, ſaving " only the Earl of Huntley." The licence then was ſent for, *after* the lords were met, *after* the ſupper was ended, *after* the bond was produced, *after* Huntly had ſubſcribed, and *after* the reſt had refuſed.

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* Anderſon, iv. part 2d, 58—63; and Goodall, ii. 139—143; from Cott. Library, Caligula, c. i. fol. 198.

fuſed. It muſt therefore have been very late in the 19th of April, the day of the date and of the ſupper, and nearly at the concluſion of it; when the licence was ſent for. The Queen in March ſupped at ſeven *. In November ſhe went to bed about nine †. Was her Majeſty then called up from her bed to ſign it? Was her attorney general ſent for to draw it up? Or was ſhe ſuch a lawyer, as to draw it up her herſelf.

But "two hundred harkebuſiers," it ſeems, were "in the court, and about the chamber-door, wheare "they ſupped; which weare all at Bothwell's de"votione." Theſe compelled them to ſign the bond. Yet all, except Huntly, are ſaid before to have refuſed to ſign, notwithſtanding the harquebuſiers. They refuſed till the licence came. They could therefore have refuſed ſtill. What could not compell them at one hour of the evening, could not at another. And their harquebuſiers, by their own account, could not have operated as an efficient principle of compulſion upon them.

We have here indeed *two* principles of influence noticed, the harquebuſiers and the licence. On which did they act? On the licence, they ſay at one time. On the harquebuſiers, they ſay at another. When they mention the licence, they "procured" it, they ſay, "as a prouſe that they ſigned not wil"linglie." When they ſpeak of the harquebuſiers, they "were induced after ſupper," they ſay,—"to "ſubſcribe to the ſaid bond, two hundred—being

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* Keith, 331; "about ſix," ſay Crawford's Memoirs, 9; and "at ſix," ſay Melvill's, 64.

† Keith, 204.

"in the court," &c. On which then did they act?

But a *third* principle of influence is alſo hinted at. The licence indeed is alledged, as a "prouſe "that they ſigned not *willinglie*." Yet they did ſo in *part*, as they own themſelves. When they firſt mention the bond, they ſay they ſubſcribed it "MORE for feare, than any lykinge they had of the "ſame." They therefore acted in *ſome* meaſure from liking. Even when they re-mention the bond, with the addition of the harquebuſiers at the door; they ſubſcribed it, they repeat, "MORE for "fear than otherwayes." They therefore acted only in *part* from fear, by their own confeſſion. And a fear, that admits a mixture of liking with it, can excuſe no action, and extenuate no crime.

What then was this liking? An approbation of the deſign and tendency of the bond. This however could not induce them to ſign. They muſt have a licence firſt from the Queen. They had one. Yet, even ſtill, they were obliged to be frightened into ſigning by the harquebuſiers. And after all they ſigned, not entirely becauſe of the harquebuſiers, not entirely becauſe of the licence, and not even becauſe of both; but from both, and from ſome liking to the work, together. They thus betray their own iniquity, in the very act of varniſhing it over.

But "two hundred" harquebuſiers, it ſeems, were "in the court" of the tavern, "and about the "chamber-door wheare they ſupped." Yet theſe permitted them to ſend for the licence. They ſent for it, " in *prouſe* that they ſigned not willinglie." But was there need of *any* proof of this, when they were beſieged by two hundred harquebuſiers, ſome at the door ready for immediate miſchief, and others in the court below waiting to ſecond them? Was not this, *of itſelf*, a proof infinitely beyond all the licences in the world? It certainly was.

They ſent however for the licence. And could they not alſo have ſent for *aſſiſtance*, to reſcue them from the formidable guard about them? Could not the perſon, who went for the licence at that late hour of night, have gone to the town-guard, and brought them down to the tavern? Or was the guard-houſe more remote from the tavern, than the palace was? The guard-houſe was *within* the city, and near. The palace was *without* the walls, and diſtant.

Could even none of *themſelves* have eſcaped out of the room, and have communicated the alarm to the guard? Were the harquebuſiers under ſuch ſtrict orders, and were they ſo vigilant in the execution of them; that not *one* of their number could elope to the guard-houſe? Were the harquebuſiers at the *windows*, as well as at the door? And was not *one* of the lords ſuffered to go out, upon any *neceſſary* purpoſes? *One* of them, we know, did actually ſteal off. " Eglinton," ſays John Read himſelf, " ſubſcribed not, but ſlipped away*." If *he* could ſlip away, others could have done ſo too. There muſt either have been no harquebuſiers at all, or they muſt have been very remiſs in their duty. And thoſe who ſtaid might have ſtolen away. So much does this ſingle fact deciſively prove. But it proves even more. It proves that there were no harquebuſiers at all. Had there been, even if he alone could have ſtolen away, this would have been ſufficient. He would certainly have communicated the alarm. He would have brought the town-guard to the tavern. He would have relieved immediately his impriſoned brethren. The zeal, which made him effect his retreat from them, would have made him return to their relief. The ſtrong diſlike, which he had to the ſubſcription himſelf, would have given him wings to prevent it in others. But he went away un-ſtopped by theſe imaginary harquebuſiers. He therefore thought not of reſcuing the reſt, from what did not exiſt. They might have ſlipped away as he did. There was no more force upon them, than upon him. And he left them to ſtay and ſign, becauſe they liked to do ſo.

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* Anderſon, i. 112.

The lords that ſtaid, however, "ſo muche "miſliked," ſay the rebels, the over-awing by the harquebuſiers; that they did—what? Indignant at the force put upon them at the time, they did *not* fly with their ſwords inſtantly to the throat of Bothwell, as the captain of this gang of aſſaſſins; and threaten him with immediate death, if he did not order them out of the court and from the door. No! They—all ſubſcribed to a man. Indignant on reflecting upon it afterwards, they did *not*, man by man, call him to an account the next day; for the conſtraint which he had put upon their perſons, for the violence which he had exerciſed upon their wills, for the inſult which he had offered to their honour, and for the act of treaſonable preſumption in which he had involved them. No! They took a more dignified revenge. They acted in a more heroical manner. The next morning they ſhewed their reſentment to Bothwell, by—leaving the town without taking leave of one another. "The ſaid "lords ſo muche miſliked" the guard of harquebuſiers; "that the next morning, by foure of the "clocke, few or none of them weare left in the "towne, but departed without taking their leave." Such is the great revenge of magnanimous ſouls!

On the whole then, they were unwilling to ſign before the licence came. They *would not* ſign before, notwithſtanding the two hundred harquebuſiers. The licence, conſequently, was *all*. Yet, after it came, they ſigned *unwillingly*. Of what uſe therefore was even this *all* in itſelf? They could but have ſigned unwillingly without it. They ſtill ſigned unwillingly with it. They were ſtill forced by the harquebuſiers, who *could not* force them before. And they behaved at the cloſe, juſt as if they had received no licence at all; ſhewing themſelves diſcontented at the force uſed to them, and taking equally their high-ſouled revenge for it.

So very abſurd and ſo very contradictory is the account, which the rebels have here given us of their ſubſcribing the bond. It is very difficult to incorporate truth with falſhood. They will not unite thoroughly together. Something will float upon the ſurface, to betray the mixture. And the rebels appear from *their own* account, to have ſubſcribed equally without licence and without force.

N° VI.

" ABSTRACT OF MATTERS SHEWED TO THE QUENE'S " MAJESTIE'S COMMISSONERS BY THE SCOTTES, " SENT THE 11th OF OCTOBER*.

" *A breif note of the cheif and principall poincts of* " *the Queen of Scottes lettres written to Bothaill,* " *which may tend to her condempnation, for her* " *conſent and procurement of the murder of her* " *huſband, as farre forthe as we coulde by the* " *readinge gather.*

" FIRST, the plaine and manifeſt wordes con" teyned in the ſaid lettres, declaringe the inordi" nate and filthie love betwene her and Bothaill.

" Next, the like wordes, plainely declaringe how " ſhe hated and abhorred her ſaid huſband.

" Then for the declaration of the conſpiracie, " and her procurement and conſent to the murder " of her ſaid huſband, how ſhe toke her journey " from Edenburghe to Glaſco, to viſite him, beinge

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* This title belongs equally to the preſent and the ſucceeding article; and they are both ſpoken of in the article preceding, as " a paper incloſed" within it.

" theare ſicke, and pourpoſely of intent to bringe
" him with her to Edenburghe.

" She wrote to Bothaill from Glaſco, how ſhe
" flattered her ſaid huſband to obtaine her purpoſe;
" and that the Earl of Lenox his father, that daye
" that ſhe was deviſinge to bringe his ſonne to Edenburghe,
" did blede at the nooſe and mowthe;
" willing the ſaid Bothaill to gheſſe what preſage it
" was.

" She wrote alſo, that ſhe was about a worke
" that ſhe hated greatly, and that ſhe lied and diſſembled
" to get creadite with her huſband, and to
" bringe her faſchious purpoſe to paſſe; confeſſing
" herſelfe therein to do the office of a traitereſſe,
" which, weare it not to obey Bothaill, ſhe had lever
" [rather] be dead then do it, for her harte did
" blede at it.

" Alſo ſhe wrote, that ſhe had wonne her huſband
" to goo with her to Edenburghe, and to do whatſoever
" ſhe wolde have him to do, ſayinge, Alas!
" ſhe never deceaved anie before; remittinge herſelſe
" altogether to the will and pleaſure of Bothaill,
" wherein ſhe wold obey him, whatſoever come
" thereof; requyring him to adviſe with himſelf,
" if he coulde fynde owt any other ſecreat invention
" by medicine, for her huſband was to take
" medicine, and the bath alſo, at Cragmiller.

" She biddeth Bothaill to burn the lettre, for it
" was over daungerous to them, and nothinge well
" ſaid in it, for that ſhe was thinkinge upon nothinge
" but faſcherie; requyring him, that, ſithens
" to obey him, her deare love, ſhe ſpared neither

" honour, conſcience, hazard, nor greatnes whatſo-
" ever, he woulde take it in good parte; and that
" he wold not ſee her, whoſe fained tears ſhoulde
" not be ſo muche praiſed, as the faithefull tra-
" vailles which ſhe ſuſteyned to merite her place;
" for the obteyninge whereof, againſt her nature, ſhe
" betraied him that might impeche it; prayinge
" God to forgeave her, and to geave unto Bothaill,
" her only love, the happe and prouſperitie, which
" ſhe, his humble and faithfull love, wisſhithe unto
" him; hoopinge ſhortely to be another thinge unto
" him, for the rewarde of her yrkeſome troubles.

" Finally, ſhe wrote to Bothaill, that accordinge
" to her commiſſion ſhe wolde bringe the man with
" her; prayinge him to worke wiſely, or els the
" whole burden wolde lye on her ſhowlders; and
" ſpecially to make goode watche, that the bird
" eſcaped not owt of the cage*."

" *Examinatur.*"

Nº VII.

" *Notes drawn furth of the Quenis Letters ſent to " the Erle Bothwell.*

" IMPRIMIS, After lang diſcourſe of hir
" conference with the King hir huſband in Glaſ-
" cow, ſche wreitis to the ſaid Erle in thir termes;

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[*] Goodall, ii. 148—150, and Haynes, 480—481, from a paper indorſed by Secretary Cecil.

“‘ This is my firſt jurnay, I ſall end the ſame the morne: I wreite in all thingis, howbeit they be of littill weycht, to the end that ye may tak the beſt of all to judge upoun. I am in doing ane wark heir, that I haitte gretlie: Haif ye not deſyr to lauche, to ſie me lie ſa weill, at the leiſt to diſſemble ſo weill, and to tell hym the treuth betwix handis.’”

“ Item, Schortlie after: “‘ We are coupled with twae fals racis: the devill ſyndere us, and God mot knit us togidder for ever, for the maiſt faithful cupple that ever he unitit. This is my faith, I will die in it.’”

“ Item, Thaireſter, “‘ I am not weill at eaſe, and zeit verray glaid to wreit unto you quhen the reſt are ſlepand; ſen that I cannot ſleip as they do, and as I wald deſyir, that is, in your armis, my deir luiſe.’”

“ Item, A littill thaireſter: “‘ Adverteis me quhat ze haif deliberat to do in the matter ye knaw upon this point, to the end we may underſtand utheris wele, that nathing thair throw be ſpilt.’”

“ Item, Thus ſche concludis the lettre; “‘ Wareit mocht this pokiſhe man be, that cauſes me haif ſa meikill pane, for without hym I wald haif ane fair mair pleſant ſubject to diſcourſe upoun. He is not o'er meikle ſpilt, bot he has gottin verray mekill; he has almaiſt ſlane me with his braith; it is war nor your unclis, and zeit I cum na neirar, bot ſat in ane cheir at the bed-fute, and he beand at the uther end thairof.’”

“Item, Thairefter, “‘Ye gar me diſſemble ſa far, that I haif horring thairat, and ze caus me almaiſt do the office of an trahatores. Remember yow, yf it wer not to obey yow, I had raither be deid or I did it, my heart blidis at it. Summa, he will not cum with me, except upon conditioun that I ſall be at bed and bourd with hym as of befoir, and that I ſall leif him na efter.’”

“Item, Schortlie thairefter; “‘Summa, he will gae upoun my word to all places. Alace, I never diſſavit any bodie, bot I remit me altogidder to your will. Send me advertiſement quhat I ſall do, and, quhatſumever ſall cum thairof, I ſall obey you; advys tó with yourſelf, yf ye can fynd out any mair ſecreit inventioun be medecein and the baith in Craigmillar.’”

“Item, Thairefter, “‘I ſall draw out all thingis out of hym, gif ye will that I advow all thingis unto hym; bot I will never rejois to diſſave any bodie that truſtis in me; zet notwithſtanding ye may command me in all thingis. Haif no evill opinioun of me for that cauſe, be reaſon ye ar the occaſioun of it your ſelf, becauſe for my awn particular revenge I wold not do it to hym.’”

“Item, After, “‘For certaintie he ſuſpectis that thing ye know, and of his lyif; bot as to the laſt, how ſone I ſpeak twae or thrie guid wordis unto hym, he rejois and is out of doubt.’”

“Item, Schortlie thairefter, “‘All the Hamiltounis are heir with me, and accompanies me verry honorably.’”

“Item, Thairefter, “‘Be not offendit, for I gif

“‘ not our [o'er] mekill credyt. Now, ſence to
“‘ obey you, my deir luife, I ſpare nouther honor,
“‘ conſcience, nor gretnes quhatſumever, I pray
“‘ you tak it in guid part, and not after the interpretation
“‘ of your fals guid-brother; to quhom,
“‘ I pray you, gif nae credyns agains the maiſt
“‘ faythfull luifer, that ever ye had, or ever ſall
“‘ haif. Sie not hir, quhais fenzeit tearis ſuld not
“‘ be ſa mekill prayſit nor eſtemyt, as the trew and
“‘ faythfull travaillis, quhilk I ſuſtene to merit hir
“‘ place; for obteyning of quhilk, againis my naturall,
“‘ I betray thame that may impeſche me.
“‘ God forgive me, and God gife yow, my onlie
“‘ luif, the hape and proſperitie that your humble
“‘ and faythfull luif deſyris unto yow, quha hoipis
“‘ ſchortlie to be ane uther thing unto yow.’”

“ Item, In the credit gifin to the berar, quhome
“ we underſtand was Pareis, “‘ Remember yow of
“‘ the purpois of the Ladie Reires, , , , ... of
“‘ the ludgene in Edinburt.’”

“ Item, In ane uther lettre ſent be Betoun:
“‘ As to me, howbeit I heir noe farther newes from
“‘ yow, according to my commiſſion, I bring the
“‘ man with me to Craigmillar upon Munday,
“‘ quhair he will be all Wedniſday. And I will
“‘ gang to Edinburt to draw bluid of me, gif in the
“‘ mene tyme I get no newes in the contrair from
“‘ yow.’”

“‘ Item, Verray ſchortlie after: “‘ Summa, ye
“‘ will ſay he makis the court to me, of the quhilk
“‘ I tak ſo gret pleſeur, that I enter never quhair
“‘ he is, bot incontinent I tak the ſeiknes of my

ſyde, I ame ſoe faſchit with it: yf Pareis bring me that quhilk I ſend hym for, I treaſt it ſall amend me. I pray yow adverteis me of your newes at length, and quhat I ſall do in caice ye be not returnit quhen I cum thair; for, in cais ye work not wyſelie, I ſie that the haill burthin of this will fall upon my ſchulderis. Provyde for all thingis, and diſcourſe upon it firſt your ſelf.’”

“Item, In ane uther lettre: “‘I pray yow, according to your promeis, to diſcharge your hart to me; utherwayis I will think that my malheure, and the guid compoſing of thame, that hes not the third part of the faythfull and willing obedience unto yow that I beyre, has wyne, againis my will, that advantage over me quhilk the ſecund luif of Jaſon wan; not that I wolde compair yow to ane ſa unhappie as he was, nor yit myſelf to ane ſoe unpetifull a woman as ſche; howbeit ye cauſe ma be ſumquhat lyck unto hir in ony thing that twichis yow, or that may preſerve and keip yow to hir, to quhome ye onlie appertein; yf it may be ſuer that I may appropriat that, quhilk is wonne throuche faythfull, yea only, luiffing yow; quhilk I do and ſall do all the dayis of my lyif, for pane and evil that can cum thereof. In recompenſe of the quhilk, and of all the evill quhilks ye haif bein cauſe of to me, remember yow upon the place heir beſyd, &c.[*]’”

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[*] Anderſon, iv. part 2d. 71—75, and Goodall, ii. 150—153, from the paper-office.

Nº VIII.

THE JOURNAL OF THE COMMISSIONERS.

"Die Mercurii, 8. Decembris 1568,
"at Weſtminſter.

"THIS daye the Erle of Murray, according "to the appoyntment yeſterday, came to the "Quene's Majeſtie's commiſſioners, ſaying: that as "they had yeſternight produced and ſhewed ſundry "wrytings, tending to prove the hatred which the "Quene of Scotts bare toward her huſband to the "tyme of his murder, wherin alſo they ſaid might "appear ſpeciall arguments of her inordinate love "towards the Erle Bothwell; ſo, for the further "ſatisfaction both of the Quene's Majeſtie and "theyr lordſhips, they were ready to produce and "ſhew a great number of other letters wrytten by "the ſaid Quene, wherin, as they ſaid, might ap"pear very evidently her inordinate love towards the "ſaid Erle Bothwell, with ſundry other arguments "of her guiltynes of the murder of her huſband. "And ſo therupon they produced ſeven ſeveral "wrytings wrytten in French, in the lyke Romain "hand as others her letters, which were ſhewed "yeſternight, and avowed by them to be wrytten "by the ſaid Quene. Which ſeven wrytings, be"ing copied, were read in French, and a due col"lation made therof, as neere as could be, by read"ing and inſpection; and made to accord with "the originals, which the ſaid Earl of Murray re-"quired to be re-delivered, and did therupon de-"liver the copies, being collationed. The tenors "of all which ſeven wrytings hereafter follow in "order; the firſt being in manner of a ſonnet,

"'O Dieux, ayez de moy, &c.*'"

"Apud Weſtminſter, die Jovis, 9. die Decembris "1568.

"The Quene's Majeſtie's commiſſioners being "occupied in peruſing and reading certain lettres "and ſonnets wrytten in French, being duly tranſ-"lated into Engliſh, and other wrytings alſo, ex-"hibited yeſterday to them by the Erle of Mur-"ray and his colleagues;—the commiſſioners pro-"ceeded until dinner tyme, in the hearing and pe-"ruſing of the foreſaid wrytings †."

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* Anderſon, iv. part 2d, 150—151, and Goodall, ii. 235, from the Cotton library, Caligula, c. i. fol. 241, which is here altered and interlined in ſeveral places by Cecil's hand. The reader ſhould alſo be informed, that the journal at preſent contains no more of the ſonnets or letters, than the half-line of the former above.

† Anderſon, iv. part 2d. 155, and Goodall, ii. 239—240, from Cott. lib. Calig. c. i. fol. 252, which is again altered and interlined in ſeveral places by Cecil's hand.

Nº IX.

THE JOURNAL OF THE PRIVY COUNCIL.

"Apud Hampton-Court, die Martis, xiv.
"Decembris, 1568.

". . . . . And before thoſe articles "were read, there were produced ſundry lettres "written in French, ſuppoſed to be written by "the Quene of Scotts own hand to the Erle Both- "well; and therwith alſo one long ſonnet; and a "promiſe of marriage, in the name of the ſaid "Quene, with the ſaid Erle Bothwell. Of which "lettres the originals, ſuppoſed to be written with "the Queen of Scotts own hand, were then alſo "preſently produced and peruſed; and, being read, "were duly conferred and compared, for the man- "ner of writing and faſhion of orthography, with "ſundry other lettres long ſince heretofore writ- "ten, and ſent by the ſaid Quene of Scotts to the "Quene's Majeſty."

"Die Mercurii, xv. Decembris 1568.

". . . . . . . Next wherunto was produced, "read, and viewed, the original writing, ſuppoſed "to be written by the Erle of Huntley; being a "contract of mariage betwixt the Quene and the "Erle Bothwell, dated at Seaton the 5th of Aprill, "and ſubſcribed by the Quene and the Erle Both-

" well with their own proper handes, as was al-
" ledged: the true copy wherof is amongſt the
" things exhibited the 7th of December *."

N° X.

THE REBEL JOURNAL, SO FAR AS RELATES TO THE PRESENT WORK.

" [1566] June 19. King James the Sixt was borne.

. . . .

" [1566-7] January 21. The Quene tuik hir " journay towards Glaſcow, and was accompanyit " with the Erlis of Huntly and Bothwell to the " Kalendar, my Lord Leviſtoun's place.

" 23. The Queen came to Glaſcow, and on " the rode met hir Thomas Crauford from the " Erle of Lennux, and Sir James Hamilton, with " the reſt mentionit in hir letter. Erle Huntly and " Bothwell returnit that ſame nycht to Edinbrough, " and Bothwell lay in the town.

" 24. The Quene remaynit at Glaſcow, lyck " as ſhe did the 25th and the 26th, and hayd the " conference with the King whereof ſhe wryttis; " and in this tyme wrayt hir bylle and uther letteris " to Bothwell. And Bothwell this 24th day wes

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* Anderſon, iv. part 2d. 172—175, and Goodall, ii. 256, and 257, from the Cott. lib. Cal. c. i. fol. 261 and 262, which is again altered and interlined in ſeveral places by Cecil's hand.

" found verray tymus, weſéing the King's ludging " that wes in preparing for him; and the ſame " nycht tuik journay towards Lyddiſdaill.

" 27. The Quene (conforme to hir commiſſion, " as ſhe wryttis) broucht the King from Glaſcow " to the Kalendar, towards Edinbrough.

" Jan. 28. The Quene broucht the King to " Linlythquow; and there remained all morn. " quhill ſhe gat word of my Lord Bothwell his re- " turning towards Edynbrough, be Hob Ormiſ- " toun, ane of the murtheraris. The ſame day " the Erle Bothwell came back from Lyddiſdaill " towards Edynbrough.

" 29. She remained all day in Linlithquow " with the King, and wraytt from thence to Both- " well.

" 30. The Quene broucht the King to Edyn- " brough, and patt him in his ludging quhair he " endit; and Bothwell, keiping tryiſt, met hir upon " the way.

" February 5. She ludged all nycht under the " King, in the chalmer, quhairin the poulder was " layd thairefter, and quhairof Paris, her chalmer- " child, reſſavit the key.

" 7. She ludged and lay all nycht agane in the " foreſaid chalmer, and from thence wrayt that ſame " nycht the letter, concerning the purpoſe of the " abbot of Halyruid-houſe.

" 8. She confronted the King, and my Lord " of Halyruid-houſe, conform to hir letter wryttin " the nycht befoir.

" 9. She and Bothwell ſoupped at the bankett

" with the Biſhop of the Yllis, and efter paſt up, " accompanyit with Argyle, Huntly, and Bothwell, to the King's chalmer; and thair thay remaynit cheriſſing him, quhill Bothwell and his " complices hayd putt all thingis to ordour, and " Paris, hir chalmer-child, hayd reſſavit in hir " chalmer the pulder, and came up agane, and " gef the ſigne. And thay departit to Baſtien's " banquet and maſque about eleven houris; and " thairefter thay baith returnit to the abbay, and " talkit quhill twelve houris and eftir.

" 10. Betwix twa and thré of the clock, the " King was blawin in the air be the pulder.

. . . .

" 12. . . . . Hary Killigrew arryvit from " the Quene's Majeſtie.

" Feb. 21. Thay paſt togidder to Seytoun.—

" Marche 10. Thay returnit to Edinbrough—. " At this tyme my Lord Regent purchaiſt leif to " depart.

" 24. Thay returnit agane to Seytoun—.

" April 5. The ſecund contract of mariage, per " verba de præſenti, wes maid and wryttin be my " Lord of Huntly; quha, for his reſtoring agane " the forfaltour, had purchaſit ane procuratory ſubſcryvit with his ſiſter's hand, then wyif to Bothwell: and thair wes the counſale haldin for the " cleanſing of Bothwell.

" 9. My Lord Regent departit furth of Scotland.

" 10. Thay returnit to Edinbrough, to Bothwell's cleanſing.

" 12. Quhilk wes Setterday, Bothwell wes cleanſit " werray ſtrangely, as the proceſs beiris.

" 14. Quhilk wes Mounday, the firſt day of " the parliament, ſet onlie for reduction of my Lord " Huntly's forfaltour.

" 18. Quhilk wes Friday, the day of the ſummonds of reduction of the Erle of Huntly's forfaltour.

" 19. Quhilk wes Setterday, the decreyt of reduction wes gevin for the Erle of Huntly and " all his freindis. The ſame nycht the lordis paſt " the band efter ſupper to the Erle Bothwell, being drawin ſecretlie be him to the ſupper.

" 21. Viz. Mounday, the Quene raid to Stirling, " as it wes devyſit, and from thence wreyt the letteris concerning the purpoſe devyſit of hir raviſhing; quhair Huntly cam to hir, and began to " repent him. In the mene tyme Bothwell remainit at Edinbrough, aſſembling his forces.

" April 23. She came to Linlythquow, and " Bothwell came to Haltoun hard by.

" 24. She ſent the Erle of Huntly to Bothwell in the morning, quha met hir upon the way, " ſeamit to raviſh hir, and tuik Huntly and the ſecretarie priſoneris, and led them all to Dumbar, " and thair remainit to the 3d of May.

" 26. The firſt precept for the partiſing of the " Erle Bothwell and his wyif, was direct furth from " the commiſſarys of Edinbrough.

" 27. The ſecond precept of partiſing, befoir " Maiſter John Manderſtoun, commiſſair to the " Biſhop of Sanctandrois, wes direct furth.

“ May 3. She wes conweyit be Bothwell and “ all his freindis, with ſperris, to Edinbrough caſtell, and for fear of accuſation [they] kaſt thair “ ſperris from thame be the way; and the nixt “ Sunday hir bannis wer proclamit be hir awin “ precept, ſubſcryvit with hir hand.

“ 12. She cam with Bothwell out of the caſtell, “ to the tolbuyth befoir the lordis of ſeſſion, and “ tuik hir proteſtatioun and act thair of hir libertie; “ and ſo paſt togidder to the abbay.

“ 15. Thay wer publicklie mareit efter baith “ the ſortis of the kirkis, reformit and un-reformit, “ and remaynit to the 7th of June.

“ June 7. He purpoſit and rayd againſt the “ Lord Howme and Ferneherſt, and ſo paſt to “ Melros, and ſhe to Borthwick.

“ 11. The lordis cam ſuddanlie to Borthwick: “ Bothwell fled to Dumbar, and the lordis retyrit “ to Edinburgh. She followit Bothwell to Dumbar diſguyſit.

“ 15. Thay cam from Dumbar to Carbarrye “ hill, quhair the lordis met thame. The Erle “ Bothwell fled, and ſhe cam to Edinbrough with “ the lordis.

“ 16. She PAST to Lochlevin, and thair remaynit to the 2d of May 1568.

“ 20. Dalgleiſhe, chalmer-child to my Lord “ Bothwell, wes takin, and the box and letteris “ quhilk he brought out of the caſtel. About “ this tyme my Lord Buthwell fled be ſea to the “ north.

“ July 24. The Quene maid reſignation of hir

" crowne in ſavour of hir ſone, *now our Soverane,* " and paſt commiſſiounis of government. At this " tyme Sir Nycholas Throgmorton was in Scot" land.

" 29. The King was crownit at Striviling. " Middilmoir was preſent.

" Auguſt 14. My Lord of Murray, *now regent,* " returnit furth of France, and cam to Edinbrough.

. . . .

" 22. My Lord, *now regent,* wes movit to ac" cept upon him the commiſſion of regentry, and " gef his ſolemnit ayth for dew miniſtration.

. . . .

" May 15. Maiſter Middilmoir, ſent from the " Quene's Majeſtie, cauſit my Lord from thence" furth abſteyn from armour and violence *."

Of this remarkable journal I have made important uſe againſt the rebels. Againſt *them* it is a deciſive evidence. But againſt the *Queen* it is of no authority at all. And I wiſh to ſhow the wonderful contradictorineſs, and as wonderful abſurdity, of this and other accounts furniſhed by the rebels againſt her.

" George Buchanan and others write," ſays Mr. Goodall, " that Bothwell ſeized the Queen at Al-

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* From a copy marked by ſecretary Cecil's hand, Cotton Library, Caligula, b. ix. fol. 247; the *whole* of which is in Anderſon, ii. 269—277, and *part* in Goodall, ii. 247—251. The orthography of theſe two copies differs much at times. But I have followed Goodall's, for his part.

"mon Water; and others ſeek the place to the "*weſt* of Linlithgow *." Mr. Goodall here ſpeaks with a ſeeming confuſion of ideas, that would be very extraordinary in a man of his clearneſs of conception, and in one living ſo near to the geographical objects ſpecified. He means not, that Buchanan fixes the ſeizure, juſt as Crawford's Memoirs and Keith do, at "Almond-bridge;" which "ſtands over Avon Water a ſhort mile to the weſt "of the town of Linlithgow," and is ſometimes called Almond-bridge, from a village to the *weſt* of it, but "is now commonly called Linlithgow-"bridge," from the town of Linlithgow to the *eaſt* of it †. He means only, that Buchanan fixes the ſeizure at "Almon Water," a river, conſiderably to the *eaſt* of Linlithgow; when Buchanan really fixes it, as we ſhall ſoon ſee, "ad Almonis pontem," at Almond-bridge to the *weſt* of it. Here alſo Dr. Robertſon, by implication, fixes the ſeizure; ſaying that Bothwell "turned ſuddenly towards "*Linlithgow*, met the Queen on her return *near* "*that place*," and ſeized her ‡. And the preſent journal equally fixes it, near *this* town and at *that* bridge. It repreſents Bothwell, we ſee, to have come to "Haltoun hard by" Linlithgow, the evening before the ſeizure; in order to ſeize her. It then indeed indicates him to have ſeized her to the *eaſt* of Linlithgow, becauſe it intimates her to be already arrived at Linlithgow; and becauſe it makes him not to ſeize her till the next day, and till ſhe was ſet out on her journey from Linlithgow to Edinborough. But it plainly, by a ſingle ſlip of a word, indicates him to have really ſeized her to the *weſt* of Linlithgow; becauſe it deſcribes him, who was now at "Haltoun hard by" while ſhe was in Linlithgow, to have actually MET her the next morning on the road. "In the morning," it ſays, he "*met* hir upon the way."

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* i. 367. † Crawford, 19, and Keith, 383. ‡ i. 417.

The journal thus unites two contradictions together; by ſettling the ſeizure at ſome place to the *eaſt* of Linlithgow, and at ſome other place to the *weſt* of it. Juſt ſo does the ſecond confeſſion of Paris alſo act. It equally carries Bothwell to "Haltoun hard by" Linlithgow, the evening before the ſeizure. It equally brings the Queen from Stirling to Linlithgow, that evening. It therefore ſettles the ſeizure, of courſe, to the *eaſt* of Linlithgow. Yet it plainly points in its language at Almond-bridge, as the very ſcene of the ſeizure. Bothwell is made to ſend the Queen a meſſage in the evening from Haltoun, that the next day he ſhould come to ſeize her upon the road at THE BRIDGE, "ſur le chemin AU PONT *." Linlithgow or Almond bridge would naturally be denominated *the* bridge, at Linlithgow or at Haltoun. Nor is there any bridge at all to the *eaſt* of Linlithgow, for many miles. And therefore the words AT THE BRIDGE, as ſpoken at Haltoun and as ſent to Linlithgow, cannot poſſibly be the deſignation of any bridge, but that between Almond and Linlithgow. Accordingly Buchanan ſays of Bothwell, that, "ad Almonis (*ut convenerat*) pontem, Regi" nam opperitur *."

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* Goodall, ii. 84.

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* Hiſt. xviii. 356. It has been ſuggeſted that the "Almond-bridge," here mentioned, is the bridge over the Cramond; a river, which is written ſometimes *Almond* but generally *Amond*, is the "Almond Water" of Goodall, *Amond Water* in reality, and the very "Awand Water," I doubt not, at which Queen Mary from Edinborough in 1565 orders the inhabitants of Linlithgow to "meet" her, on Sunday by twelve o'clock (Keith, 312); and which is croſſed at *Amond Ford* near Kirkliſton, about eight miles from Edinborough, by the road to Linlithgow. The "Haltoun," here alſo mentioned, has been equally ſuggeſted to be *Hatton*, a ſeat of the Earl of Lauderdale's, to the eaſt of the Cramond, and about three miles to the left of the road. Yet both theſe ſuggeſtions are clearly miſtakes. The reaſons above ſhow them to be ſo. But the mention of "Haltoun" additionally ſhows it. "Haltoun" could never be melted down by any provincial eliſions of ſpeech, into *Hatton*. Into *Hauton* it might, but not into *Hatton*. Nor is the name of Lord Lauderdale's houſe *written* otherwiſe than *Hatton*, in the very *records* concerning it (Douglas's Peerage, 396). The place is alſo ſaid expreſsly in the journal, to be "Haltoun "*hard by*" Linlithgow. It cannot therefore, in any propriety of conſtruction, be *Hatton*; a houſe, about *eleven* miles from Linlithgow. Nor can it be ſo, in any conformity to the movements of the journal. Bothwell, ſays the journal, went *from Edinborough* to "Haltoun hard by" *Linlithgow*; when, according to this Dutch comment, he went to a place, that was *not* "hard by" either, was really *as near* to Edinborough itſelf as to Linlithgow, and, as being only *nine* miles from it, even *nearer*. So ridiculous in every light, do theſe ſuggeſtions appear on examination! Common-ſenſe indeed muſt convince us at a glance, that a place "hard by" Linlithgow muſt be one *nearly adjoining to the town*. And this *of itſelf* fixes the "Almond-bridge" to be where I have fixed it, at the only *bridge* that ever appears to have been ſo denominated, and in the grand paſs over the Avon at Almond, a little to the weſt of Linlith-

Buchanan thus fixes the ſeizure at Almondbridge, to the *weſt* of Linlithgow, and about a mile from it. The journal fixes it *near* Linlithgow, in fact to the *eaſt* of it, but in language to the *weſt*. The confeſſion fixes it equally near Linlithgow, and equally in language to the *weſt*, but in fact to the *eaſt* of it. Yet after all comes an author, who, from his own account of his own conduct, appears

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gow. The other place alſo has hitherto eſcaped obſervation, from the diſguiſe which is thrown round the name, by writing it from the provincial pronunciation (ſee other names ſo written, in Appendix N° xvii). "Haltoun hard by" Linlithgow, is only Walltoun about two miles to the right or north of it, with the initial *W* omitted in the writing; and the ſeat, I ſuppoſe, of that "Laird of Hawton," whom Bothwell "relieved of grit "trouble" (Knox, 396). Juſt ſo our Iſle of *Wight* was called *Vectis* and *Ictis* by the Roman Britons; the Saxon river *Wuſa* is now the preſent *Ooſe*; *Wool* is *Gulen* in Wales, *Ull* in Yorkſhire, *Ollann* in Ireland, and ſmuggling it is *Owling* in our ſtatute-book; the Saxon *Waſe*, for mud, is now *Ooze*, the Saxon *Waar*, for ſea-weed, is *Weir* in Northumberland, *Wore* in the Iſle of Thanet, and *Ore* in Cornwall; and *I will* is every where *I'll* colloquially. And we have exactly the ſame modification of a name, in a village cloſely adjoining; *Wall* being ſometimes written *Gual* and ſometimes *Al*, and Penwaltun or Kynwaltun being pronounced formerly Penneltun, and now Kenneilton. This village, ſays Bede himſelf, "ſermone Pictorum *Peanfahel*, "linguâ autem Anglorum *Penneltun*, appellatur" (Hiſt. i. 12. Smith); or, as Nennius more correſpondently with the modern name informs us, was called by the ſouthern Britons "*Pengaaul*, quæ villa Scoticè *Cenail*, Anglicè verò *Peneltun*, dicitur" (c. xix). This was ſo called, from being at the eaſtern head of Severus's wall; as at the weſtern is what Bede calls the "urbs Al-cluith" of the Britons, "quod linguâ eorum ſignificat *Petram*," he ſhould have ſaid, *Murum*, "Cluith" (ibid); meaning the wall or rampart on the Clyde, as Dunbarton is at preſent.

to have been equally a rebel with Buchanan*, though a thouſand times leſs diſhoneſt and envenomed than he; even Melvill, who was actually preſent at the ſeizure: and ſettles it to have been made, in the Queen's "back-coming" from Stirling, "betwixt Lithgow and Edinbrugh †." And, laſt of all, comes a rebel act of parliament, even "Murray's act of forfeiture againſt Bothwell;" the higheſt of all rebel authorities, from its dignity as a parliamentary memorial, and from its proximity to the main fact itſelf; which agrees with Melvill, which at once contradicts and agrees with the confeſſion, at once contradicts and agrees with the journal, and directly contradicts Buchanan. It ſettles the ſeizure to have been betwixt Linlithgow and Edinborough. But it carries it near ſixteen miles from Linlithgow. It transfers it into the immediate neighbourhood of Edinborough. It fixes it at "Foulbrigs," a bridge "about half a mile "weſt from the caſtle of Edinburgh ‡." So varying and ſo contradictory could the rebels be, concerning an incident very recent in its date, very remarkable in its nature, very momentous in its conſequences, and happening in the vicinity of the capital!

We have ſeen an equal uncertainty before, in a fact almoſt equally recent and remarkable, of almoſt

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* See alſo Goodall, i. pref. xviii.—xxvii. † P. 79.

‡ Goodall, i. 124, and 367. The words of the act are theſe: "In viâ ſuâ, inter Linlithgow et opidum Edinburgi, propé "pontes vulgò vocatos *Foul Briggs*" (ſee Black Acts, Dec. 20th, 1567).

moſt as great moment in its conſequences, and almoſt as much in the vicinity of the capital; the route of the Queen from Glaſgow to Edinborough, with the King. Each ſerves to reflect a ſtrong light upon the other. And this reflects a peculiar light upon that. The uncertainty of the rebels concerning both, reſults not (ſtrictly ſpeaking) from any careleſſneſs in them. It was no real uncertainty. They could not be uncertain, at a period ſo very near to the facts; what route the Queen took with the King, and at what place the Queen was ſeized by Bothwell. They plainly knew the latter. They undoubtedly knew both. But they found themſelves compelled, to bend the ſtraight line of truth, into the curves and twiſtings of their own villainies. And they were only careleſs, in not making the curves all upon one ſide of the line, in twiſting ſometimes upon one and ſometimes upon the other ſide, and ſo expoſing their forgeries by their inconſiſtencies.

The Queen, no doubt, intended to return from Stirling to Edinborough, juſt as ſhe went from Edinborough to Stirling, in one day. In executing this intention, ſhe was naturally ſeized by Bothwell about half way between both towns, and at a paſs over a conſiderable river there; at that paſs, at which John, ſon and heir to Matthew Earl of Lenox, was met and ſlain by a party under the Earl of Arran, a few years before[*]. Hence Buchanan's Hiſtory, Crawford's Memoirs, and Dr. Robertſon's Narrative, all agree in fixing the ſeizure at Linlithgow-bridge. Hence the journal ſpeaks of Bothwell's "meeting" her; even when it tells of her being at Linlithgow, and of his being at "Hal-"toun hard by," the evening before the ſeizure. And hence alſo the confeſſion intimates his ſeizing her "au pont," even though it has already brought her over the bridge, and already lodged her at Linlithgow, on this ſide of it. The truth would mix with the maſs of fiction, and ſpoil it.

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[*] Keith, 30.

So it equally was, I apprehend, with the Queen's route from Glaſgow with the King. She returned not the way ſhe went, the uſual way by the round of Stirling. She returned by the ſhort and ſtraight road, that was once taken and ſtill runs through Hollytown, xi miles, Whitburn xii, Livingſton vi, Mid-Calder iii, and Edinborough or Craigmillar about xii, in all 44 or 45. For this reaſon, her intended return from Glaſgow to *Craigmillar* is announced twice in the firſt letter. For this reaſon alſo, her intended return to Craigmillar *in a ſingle day*, is equally announced in the ſecond. And, for this too, neither the one nor the other annunciation is ever recalled, or ever contradicted, in the third and fourth.

But the ſame principle, which induced the journal to lodge the Queen at Linlithgow on her journey from Stirling, equally impelled it to lodge her there before, on her route from Glaſgow. Bothwell was made at both periods, to ſend a meſſage to the Queen at Linlithgow, in order to ſhew her concurrence with him in both the facts, that were reſpectively tranſacted juſt afterwards; in the murder of her huſband, and in the ſeizure of her own perſon.

ſon. Accordingly the journal tells us, that "the "Quene broucht the King to Linlythgow, and "there remained all morn, quhill ſhe gat word of "my Lord Bothwell." It alſo informs us, that on her journey from Stirling "ſhe came to Linlyth-"quow, and Bothwell came to Haltoun hard by;" and that "in the morning" he "met hir upon the "way, ſeamit to raviſh hir," &c. And one uniform plan of impoſition, is evidently carried on in both.

But let us attend to a very ſtriking circumſtance, in the journal-narration here. This will ſhow the plan of impoſition, to be ſtill more plainly the ſame, The journal ſays, that, at the Queen's *former* lodging in Linlithgow, ſhe ſtaid there "all morn" the next day, till ſhe heard concerning Bothwell "be "Hob Ormeſtoun, one of the murtheraris." But the ſecond confeſſion of Paris ſays, that, at the Queen's *latter* lodging in Linlithgow, "Monſieur "d'Ormeſton" came to the Queen there from Bothwell. This is clearly the ſame viſit, applied to one route by the confeſſion, and to another by the journal. Accordingly, the journal takes no notice of the viſit in the confeſſion. Nor does the confeſſion take any notice of the viſit in the journal. Each takes a man of the ſame name of Ormeſton, ſends him with a meſſage from the ſame Lord, carries him with it to the ſame Queen, and makes him deliver it to her at the ſame town. Yet *this* refers it to the journey in February, and *that* to the journey in May. As therefore the one is a witneſs againſt the other for the viſit, ſo their contradiction in the dates effectually deſtroys both. And all ſhows the lodging at Linlithgow in either journey, which was made purely for the ſake of introducing this viſit at either, to be juſt as fictitious as the viſit itſelf.

But let us examine the progreſſive accounts, in the journal and in the confeſſion. Let us examine them ſeparately. Let us examine them in conjunction. And then we ſhall ſee this important truth, ſtill more clearly.

By the route in the letters, the King and Queen reached Craigmillar in one day, Monday, January the 27th. The Queen ſtaid with him there, on Tueſday and Wedneſday. And on Thurſday ſhe went to Edinborough with him, to be blooded herſelf, and to lodge him at Kirk-a-field. This I believe to be the route really purſued by the Queen, and really meant by Crawford's Memoirs, in ſaying the King did "travel (though *ſlowly*) to Edin-"burgh [*]." The journal therefore, when it delineated the courſe and the ſtages ſo differently from this, in order to proſecute its own purpoſes; was obliged to ſtop the King and Queen upon the road in ſuch a manner, as that they ſhould not get to Kirk-a-field by its route, ſooner than they got thither by their own. Thus, though it brings the King and Queen on Monday, Jan. 27, "from Glaſ-"cow to the Kalendar;" that is, from Glaſgow to Stirling, 30 miles, and from Stirling to Kalendar near Falkirk, about 20 miles more, in all about 50, and 5 or 6 farther than the direct route of the letters on the very ſame day; yet it is *no leſs than three days afterward*, in carrying them the remaining 25. And what are the pretences made uſe of, for this haſty travelling on the firſt day, and for theſe dilatory motions on the other days? There is no reaſon aſſigned for *that*. The only reaſon was, no doubt, that the King and Queen actually took a journey nearly as long, though by a different route, the very ſame day. But, for the ſlow progreſs afterwards, theſe are the aſſigned reaſons. She "remaned" at Linlithgow "all morn" of Tueſday, Jan. 28th, ſays the journal; "*quhill* ſhe gat "word of my Lord Bothwell his returning." This then was the reaſon for her ſtay "all morn." But what ſort of a reaſon is this? What had Bothwell's return to do with her journey? How could his return either haſten, or impede, the progreſs from Linlithgow to Kirk-a-field? Yet it was not his abſolute return, that was now announced to her. No! It was only his returning. And it was only his returning "towards" her; and not "towards" her at Linlithgow, but at "Edynbrough." She "re-"mained all morn, quhill ſhe gat word of my Lord "Bothwell his returning towards Edynbrough, be "Hob Ormiſtoun." Such an *olio* of impertinences is all this!

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[*] P. 12.

But we come to worſe than impertinences immediately. The Queen received intelligence at Linlithgow, about noon of Tueſday, Jan. 28th, "of "my Lord Bothwell his returning towards Edyn-"brough, be Hob Ormiſtoun." Bothwell therefore had ſent Ormeſton before him, to acquaint her of his intending to meet her at Edinborough. But where was Bothwell gone? This very journal tells us. He ſet out the Friday evening before, for Lydiſdale. "Bothwell this 24th day wes found, "&c. and the ſame *nycht* tuik journay towards Lyd- "diſdaill." This was an expedition of about ſeventy miles*, over a wild and mountainous country, and in the depth of a ſevere and ſtormy winter. He therefore could not get thither till Sunday morning, or Sunday noon; nor did he ſet off on his return, till Tueſday. "Jan. 28th," ſays the journal itſelf,—"the Erle Bothwell came back from "Lyddiſdaill *towards* Edynbrough." How then could Ormeſtoun get before him to the Queen at Linlithgow, by Tueſday noon? He could not reach Linlithgow, 16 miles beyond Edinborough, in leſs than *two long days*. Yet he reaches it in *half a day*. He comes with an account, not merely of Bothwell's intending to return, but of his actual returning. He brought "word of my Lord Bothwell "his returning towards Edynbrough." With ſuch amazing folly is this journal put together!

But Mary, it ſeems, remained all the morning of Tueſday at Linlithgow, waiting to hear from Bothwell. She ſtopped the King and all her attendants, for half a day; in order to hear, what when ſhe had heard did not ſignify a ruſh, to her or to her ſchemes; and what ſhe muſt know, before ſhe had heard, would not ſignify half a ruſh to either. She heard, yet ſhe ſtill remained at Linlithgow. She heard, yet ſhe ſtill ſtopped the King and all her attendants. She ſtaid to hear, and ſhe ſtaid when ſhe had heard. She ſtaid the afternoon, as ſhe had ſtaid the morning. She did more. She did not ſet off the next morning, the next noon, or the next afternoon. She ſtaid all day again at Linlithgow. The "29," ſays the journal, "ſhe re-"mained all day in Linlithquow with the King." She thus went no leſs than 50 miles on Monday. In ſuch a hurry was ſhe then! But ſhe went not one mile on Tueſday. She went not even one, on Wedneſday. What then was the cauſe of this ſtrange variation? A miraculous effect requires a miraculous cauſe. The cauſe indeed was truly miraculous. She had no leſs a reaſon for ſtaying, than—to write a letter to Bothwell. "29. She remained "all day in Linlithquow with the King, *and wraytt* "*from thence to Bothwell.*" But why did ſhe not write to him by Ormeſton on Tueſday? For this plain reaſon, that then ſhe could have had no pretence for ſtaying at Linlithgow on Wedneſday. Yet why did ſhe write at all on Wedneſday? Bothwell would be at Edinborough on Wedneſday night. She herſelf might have been there alſo, that night. And ſhe could then have ſaid more, than ſhe could poſſibly write to him. Indeed there could be nothing to be ſaid or written to him. He had only left her the Friday before, according to the journal. She had written to him no leſs than four times, according to the letters, in this interval; though he was all the while, according to the journal, in the diſtant region of Lydiſdale. She has alſo pretended to hear from him, in this period; though the fact is abſolutely impoſſible. The journal equally pretends, that ſhe now heard from him at Linlithgow; though this is equally impoſſible. And her letters from Glaſgow, her letter from Linlithgow, her hearing from him at Linlithgow, and her hearing from him at Glaſgow, are all links of the ſame chain of abſurdity; all carrying on the general ſyſtem of forgery, and theſe particularly endeavouring to fill with impertinencies that void of time, which their forgeries produced in the hiſtory.

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* Bothwell went, no doubt, to Hermitage, his caſtle in Lydiſdale. This, by the new road from Carliſle to Edinborough, would run (I believe) pretty nearly thus: to Moſſpaul Green about 12 or 13, Hawick 12, Selkirk 11, Bankhouſe 15, Middleton 11, Edinborough 10, in all 71. And this is the road neareſt to Hermitage.

There is alſo the ſame impertinence and abſurdity, in the account of the Queen's other ſtay at Linlithgow, which is given us by the confeſſion. It brings "Monſieur d'Ormeſton;" not "Hob "Ormiſtoun," though it means him; but "the "Lard of Ormeſtoune," to whom "Hob" or Robert "Ormiſtoun" was "his fader brother," or uncle *; from Bothwell at Haltoun, to the Queen at Linlithgow, the evening before the ſeizure.— "La nuit," it ſays, "auparavant que la Royne "fuſt ravye et enlevée du dict Sieur de Boduel,— "Monſieur d'Ormeſton vint parler a la Royne bien "ſecretement." What then was the purpoſe of this *very ſecret* viſit, from this emiſſary of Bothwell's? NOTHING AT ALL. The Queen is obliged to ſend back an anſwer, and to expect a reply. But, inſtead of ſending back a verbal anſwer to this verbal meſſage, ſhe returns a letter. And, to inflame the abſurdity, ſhe does not return it by Ormeſton. No! She ſends it by a freſh meſſenger. She ſends it by Paris, though he did not well know the road to "Haltoun hard by" the town. For that reaſon Ormeſton, who ſhould have carried the letter, is made uſe of only to be the guide to Paris. And this awkward contrivance is put in practice, merely to give Paris an opportunity of depoſing to this very ſecret viſit of Ormeſton's. "Là-deſſus "la Royne reſcript une lettre par le dict Paris, et "par ce qu'il ne ſcavoit bien le chemin, la Royne "le feiſt conduire par le dict Ormeſton."

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* Anderſon, ii. 165 and 166.

But Paris and Ormeſton reached Haltoun. They there, ſays the confeſſion, found Bothwell "en "bonne compagnée." He was therefore indulging himſelf, to be ſure, in all the jollity of a jovial crew. And they were all drinking, in the noiſy merriment of the times, "potations pottle-deep." But what muſt be the ſurprize of the reader, when he finds that they were not drinking at all, and that they were all *ſoberly aſleep* together in one room. This, to be ſure, was exceedingly "good "company" to Bothwell. This merry ſociety of ſleepers, was a number of officers *in bed about Bothwell*, he ſleeping *in the midſt of them*. So prepoſterouſly abſurd is the *language* of this confeſſion! "Le dict Monſieur de Boduel eſtoit en bonne com-"pagnée, et meſmes les capitaines couchoeint "aupres de lui et d'aultres; et trouvent le dict "Seigneur de Boduel endormy."

Paris went up to him amidſt all this "good "company," and awakened him. Paris then ſpoke to him, unmindful of them all. They might or might not have been aſleep, for any thing that Paris knew. If aſleep, they might have been awakened by the ſame exertions, as awakened Bothwell himſelf. Yet Paris told him all his errand openly. He did not merely put the Queen's letter into his hands, and let that ſpeak in ſilence. No! That would have been to have acted, as a *real* Paris muſt have acted. He therefore acted very differently. He announced it to be the *Queen's* letter. When plotters make incidents, they frequently forget thoſe little ſtrokes of nature, that give the genuine air to realities. And the facts of life, and the fictions of invention, are often as different from each other, as the living body is from the dead. "Luy dict, Monſieur, voyla des lettres "que *la Royne* vous envoye."

Nor is Bothwell leſs unnatural, in his part of the conduct. He does not inſtantly check the dangerous loquacity of Paris. He does not receive the Queen's letter himſelf, in a cautious ſilence. He does not even ſuppreſs the name of the bringer, then a chamberlain to the Queen. And he does not even refrain from uſing the Queen's own name to him, and of ſending an expreſs meſſage to the Queen by him, in the preſence of them all. Such a dexterous manager of a plot was Bothwell! So admirably calculated was he, for carrying on an adulterous correſpondence with a Queen! But indeed he was ſufficiently qualified for the work, when he had only ſuch a poor tool as Paris to work with, who could awake him with an announced letter

from

from the Queen, in the midſt of a large company; and when he had ſuch a Queen to work upon, who could ſend letters of adultery and of murder to him, without the ſlighteſt guard of a ſeal upon them. And he cried out to Paris, that it was all well. "He bien, *Paris*, ce dict-il." He then roſe, and ordered Paris *to lie down in his place* for a while. "Couche toy *là* a ung peu," he ſaid. So little ceremony was uſed, between this proud and aſpiring Earl, now an adulterer to a Queen, and now going to be a huſband to her; and this former domeſtick of his! And Bothwell ſays, that in the mean time he ſhall go to write. "Cependant," he adds, "je m'en vays eſcrire." He writes. He comes back to Paris with what he has written. He gives it to him. He accompanies it with a ſpeech, expreſsly mentioning *the Queen*, as the perſon to whom the letter was addreſſed. And he does this in ſpite of all the "good company" around them, not one of whom has yet been awakened by Paris's coming into the room, by Paris's awakening him, or by Paris's addreſs to him; by his own opening and reading the letter, by his own riſing from the bed, or by his own ſpeech to Paris; by Paris's lying down upon the bed, by his own going to write a letter, or by his own return with it to Paris again. Such ſleepers were theſe bonny fellows of Bothwell's! He had "drugged their "poſſets well," before they went to bed. And, in the language of that factious alderman of the ſecond Charles's days, they might have all *riſen in the morning with their throats cut*, without being ſenſible of the miſchief which had been done them. "Apres avoir eſcript, il dit au dict Paris, Recommende moy humblement a *la Royne*."

But what need was there, let me aſk, for Bothwell's writing to the Queen in theſe circumſtances? It was requiſite for the fuller evidence of her guilt, in conſpiring with Bothwell for her own ſeizure. It could be requiſite to no earthly purpoſe beſides. And in their eager purſuit after this, the forgers left nature and common-ſenſe behind. *For this reaſon*, the place of ſeizure is not aſcertained before Mary ſet out for Stirling; *that ſhe may write four letters from thence to ſettle it. For this* alſo, it is not aſcertained in any of the four; *that Bothwell may ſend a meſſage to her about it from Haltoun. For this* too, it is not ſettled by the meſſage; *that ſhe may write a letter from Linlithgow to Bothwell about it*. And *for this*, finally, it is not determined deciſively, even by this letter; *that Bothwell may write another*, that *Paris may carry both it and the Queen's*, and that *Bothwell may make a ſpeech to Paris, explanatory of the whole.* "Recommende "moy humblement a la Royne," he ſays, "et luy "dictes, que j'iray aujourdhui la trouver ſur le "chemin au pont."

All the actors in this confeſſion, it is obſervable, make formal ſpeeches when they deliver their letters, and ſpeeches ſignificant of the contents of thoſe letters. This is, of all unnatural ſtrokes in the confeſſion, the moſt unnatural. It is an abſurdity too big for any depoſitions, except the depoſitions againſt Mary. With ſuch verbal accompaniments, the letters themſelves are a mere ſuperfluity; and the very carriers of the letters are as much in the ſecrets of the plot, as the managers themſelves. But all this is in the ſame tone of unnatural abſurdity, with a Queen's ſending her letters, though adulterous in every particle of them, abſolutely unſealed, by one of her male attendants. And yet all was requiſite, to ſupport the forgeries of the rebels. A ſpeech was peculiarly requiſite in the preſent caſe, becauſe the verbal accompaniment was to ſtand in place of the letter itſelf, and *that* was produced while *this* was left *inter ſemina rerum*.

In this, however, Bothwell not only mentions the name of the Queen, juſt as Paris had done before. He goes far beyond Paris. He actually mentions his compact, to meet her the next day. He even ſpeaks of the very place of meeting her. And he thus betrays the whole conſpiracy, to every ear that liſtened, in all the "good company" around.

So replete with abſurdity, is the account in the confeſſion and in the journal, ſeparately taken! But, when we come to unite the accounts in the journal, the confeſſion, and the letters together; we ſee the abſurdity ſwelling upon our hands, and mounting up into the extreme of folly.

The Queen has left Edinborough for Stirling, IN ORDER to be ſeized on her return. Yet the very PLACE of the ſeizure has not been ſettled. Such a wretched conſpirator, has this burleſquer of nature repreſented her to be! Huntly is therefore obliged to be ſent after her, that ſhe and he may ſettle what Bothwell and ſhe, it ſeems, had forgotten before. He comes, but he cannot ſettle it. It is the central point of the whole. Yet it cannot be ſettled. But where is the difficulty? Huntly had come without any credentials from Bothwell, it ſeems, and Mary would not truſt him. So cautious was the Queen about a circumſtance, though ſhe never thought of adjuſting an eſſential point! And ſo incautious was Bothwell, even when he had been guilty of ſuch a groſs neglect before! A letter is therefore ſent off expreſs by her to Bothwell, to deſire *he* will ſettle it himſelf; though he had already deſired ſhe would ſettle it, and ſhe might as well have ſettled it herſelf, by the very letter that required him to ſettle it. She needed only to have ſaid, that it was an aſtoniſhing inadvertency in them both, not to have ſettled it before; and that ſhe would now ſettle it at once, by ſaying ſhe would take care to be at Linlithgow-bridge, by eleven on Thurſday forenoon, Jan. 24th, and he ſhould take care to be there, a little before that hour. This would have been ſoon ſaid. But then this would have been, to make Mary act with one ray of common-ſenſe. And the rebel ſyſtem of forgery, would not admit of a ſingle ray. All muſt be the very darkneſs of idiotcy itſelf.

Huntly accordingly returns back to Edinborough, in order to ſettle there with Bothwell, what he had been actually ſent to Stirling in order to ſettle with the Queen there; and what might have been ſettled without him, with the greateſt eaſe, and in a ſingle line from either. Yet he cannot even now ſettle it. He has gone from Edinborough to Stirling. He has returned from Stirling to Edinborough. He has been chaſing the goſſamer, but he cannot catch it. He goes again to Stirling, in purſuit of it. Yet he is as unſucceſsful as ever;

> ——— per mare magnum
> Italiam ſequimur fugientem, et volvimur undis.

And even three letters more are written by the Queen, without aſcertaining this momentous point.

The Queen accordingly comes to Linlithgow, half way back from Stirling, by the mere ſtupidity of herſelf and of her dull gallant; without aſcertaining on what part of the road ſhe ſhall be ſeized, though ſhe went thither on purpoſe to be ſeized. Then Bothwell ſends Ormeſton to her very ſecretly at night, to aſcertain it for ſome remaining part of the road. But Ormeſton is as little ſucceſsful, as Huntly and the letters had been before. The Queen is obliged to have recourſe to another letter. For the greater ſecurity, in a caſe of ſo much embarraſſment and ſo much importance, ſhe will not commit it to Bothwell's meſſenger. She will ſend one of her own attendants with it. And, as he knows not the road well, Bothwell's emiſſary ſhall be his guide. In this letter, to be ſure, ſhe at laſt ſpeaks out. When the gentleman is ſo ſtupid, as not to appoint a proper place for the *raviſhment*; the lady herſelf muſt ſtep forward, and appoint it. Yet, even yet, ſhe does *not* appoint it. An overpowering modeſty ſtill prevents her very *pen* from ſaying, what even the *tongue* of one, who had been ſome months an adultereſs, would have ſpoke plainly. And Bothwell is forced at laſt to write, what he ought to have written long ago. He now fixes to *meet* her the next day upon the road, *at the bridge.* She is therefore to *go back* to *the bridge* on the weſt of Linlithgow, in order to be ſeized there. She is even to go beyond the bridge, and then to return towards it; that he may *meet* her at the bridge. The place of ſeizure is thus ſettled at laſt. Mary is to ſet off the next morning, and Bothwell is to follow at a little diſtance. She is then to turn; he is to advance; and thus all her attendants, all his ſoldiery, and all the world beſides, are to be deceived by this notable contrivance.

But in theſe ſuppoſitions we are too haſty, it ſeems. Imagination outruns the ſpeed of theſe adulterous lovers. Love enjoyed lays aſide his pinions. All is not yet ſettled between them. Another meſſenger is diſpatched the next morning by the Queen, to adjuſt ſome circumſtances yet unadjuſted, about the place of ſeizure. This meſſenger is Huntly. Though ſo baffled before in his negotiations, he is once more employed in the work. And "April 24," ſays the journal, "ſhe "ſent the Erle of Huntly to Bothwell in the morn"ing." Never ſurely was the power of burleſque carried to a greater length than this, even in works profeſſedly of a burleſque nature. An habitual lyar, from the continual exerciſe of his faculties in lying, at length becomes as credulous as he is falſe; and pays an implicit faith in time to the very productions, and even to the moſt monſtrous productions, of his own brain.

But let me add one obſervation of a purely hiſtorical nature, before I cloſe the eſſay. *What* day preciſely did the Queen leave Stirling? On Wedneſday April the 23d, ſays the journal. But this, I apprehend, is a miſtake, and a wilful one, in the journal. She left not Stirling, I believe, till Thurſday April the 24th. She was certainly *ſeized* the very day ſhe left it. She did *not* ſleep at *Linlithgow*, ſet off the next morning, and then fall into the hands of Bothwell. The rencounter between them, as we have ſeen already, was at Almondbridge, on the *Stirling*, not the Edinborough, ſide of Linlithgow. She was conſequently ſeized, on her paſſage betwixt Stirling and Linlithgow. And this is deciſively aſcertained to have been done, upon Thurſday April the 24th. "April 24," ſays the journal, "ſhe ſent the Erle of Huntly to Both-"well in the morning, quha met hir upon the way, "ſeamit to raviſh hir, and tuik Huntly and the ſe-"cretarie priſoneris, and led them all to Dumbar." Nor does this date depend entirely upon the journal. It reſts equally upon other authority. The rebels equally declared at York, when they preſented the letters for the firſt time to an Engliſh eye, that "the—taking of the Quene by Bothwell, "when he carried her to Dunbar, was *the 24th of* "*Aprill* after the death of her huſband *." But we have a third authority, equally rebel indeed, but much ſuperiour to either of theſe from ſome circumſtances in its nature. "Underſtanding," ſay the rebels ſo early as *the twelfth of June* 1567, and when the very idea of a ſet of forged letters againſt Mary, had not yet germinated in the hot-bed of a Lethington's brain: "yat James Erle Bothwele put "violent handes in [on] our Soveraine Ladies maiſt "nobill perſoun, upon *the* 24 *daie of April* laſt by-"paſt," &c.* And as ſuch an union of authorities fixes the day of the ſeizure determinately, ſo it equally fixes the day of the Queen's departure from Stirling. She departed from Stirling, and was ſeized before ſhe reached Linlithgow, on Thurſday April the 24th. But let us alſo attend to the evidence of the letters. Of theſe, there were originally *two* alone from Stirling. Theſe therefore were calculated for Monday night, as the fifth pretends to be written at night; and for Tueſday. This was in exact conformity to the journal, by which the Queen ſets off the very next day from Stirling. So far the journal and the letters compleatly harmonized together. But the harmony was afterwards broken. Two jarring ſtrings were introduced, in the formation of two additional letters. The 7th letter was added, as written juſt immediately after the 6th, "ſen my letter writtin," and equally upon Tueſday; while the 8th muſt be calculated for *Wedneſday*. In the 7th, the Queen's arrival at Stirling is clearly intimated to have been *the day*

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* Goodall, ii. 141.

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* Anderſon, i. 131. The act of attainder againſt Bothwell, December the 20th 1567, fixes no day. It only ſpecifies the month, "menſe Aprilis ult. elapſi."

before, "ziſterday," or Monday. And the Queen's ſeizure is plainly announced, to be intended for *the next day but one*, "after to morne," or Thurſday. Thus do the letters *at preſent*, the journal, the rebel declarations at York, and the rebel proclamation at Edinborough, all concur to fix the ſeizure of Mary, and conſequently her departure from Stirling, on Thurſday the 24th. But the letters, by deviating at once from their own plan and from the plan of the journal, now ſtand in a clear contradiction to the journal itſelf. Thoſe make the Queen to ſtay at Stirling on Wedneſday, while this carries her on Wedneſday to Linlithgow. The Queen's departure from Stirling, which was on Thurſday the 24th, was originally thrown back by theſe bold artificers of hiſtory, to Wedneſday the 23d; in order to ſerve their purpoſe of multiplying the evidences of Mary's guilt, of bringing Bothwell to "Haltoun hard by" Linlithgow on Wedneſday, and of ſending Huntly to him the next morning. Yet this plan was afterwards abandoned in the letters, even while it was ſtill purſued in the journal; for the ſake of ſubſtituting ſome forged writings in the room of theſe fabricated incidents, and of creating for her a couple of letters more from Stirling. And thus the letters returned back to the forſaken line of truth in the day of the departure, and left the journal perſiſting in its original deviation; the right line of thoſe expoſing more clearly the crooked line of this, by having been once as crooked itſelf as this, and by now running ſtraight along the curving ſide of this.

The journal, the confeſſion, and the letters, were all ſabricated on the ſame principle, and with the ſame view. They were to ſerve the purpoſes of a party, that could only be ſerved by daring falſhoods. Truth therefore was diſcarded in all. Realities yielded the place to fictions. And hiſtory was accommodated to convenience. The journal particularly was drawn up for the formation of the *Detection*, as well as of the letters; for that infamous fardle of the moſt extravagant calumnies, as well as for theſe convicted forgeries againſt Mary. The journal as frequently refers to the *Detection* in ſilence, as it profeſſedly does to the letters. It was therefore drawn up originally for the conſtruction of both [*]. And it accordingly partakes of the falſity, the folly, and the impudence, of both [†].

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[*] Not *from* Buchanan's papers, as Keith, 384, unthinkingly ſtates the point; but *for* them.

[†] In June 1568, Elizabeth "did ſpeidely ſend a gentleman "of hirs, named Mr. Henry Middlemore, ane of good under-"ſtanding and credit, with hir lettres to the ſaid Quene" Mary (Anderſon, iv. part i. 13). This was on June the 8th (Murdin, 765). Middlemore accordingly reached Carliſle and the Queen, on June the 12th (Anderſon, ibid. 77). He entered Scotland the 15th; and came to Murray that day at Dumfries, who was there at the head of his army (ibid. 93—94, and 14). And yet "MAY 15th," ſays the journal, when it ſhould be JUNE 15th, "Maſter Middilmoir, ſent from the "Quene's Majeſtie, cauſit my Lord [Murray] from thence-"furth abſteyn from armour and violence." And this compleats our evidence of the *careleſſneſs*, with which this journal was originally compoſed; even where the hand of *knavery* has not been apparently at work, upon it.

Nº XI.

MURRAY'S INSTRUCTIONS TO ROBERT COMMENDATOR OF DUNFERMLING, HIS EMBASSADOUR TO THE ENGLISH QUEEN, OCTOBER 15, 1569.

"........ We produced to the Quenis Ma-
" jeſtie of Ingland's commiſſioneris,

" 1. The namis of the eſtatis of this realme
" convenit at Edinburgh in the month of Decem-
" ber MDLXVII. — — —

" Item, We producit eight letteris in French,
" written be the Quenis awin hand, and ſent to
" James ſumtime Erle of Bothville.

" *Item*, A little contract or obligatioun, written
" by the ſaid Quenis awin hand, promiſing to marry
" the ſaid Bothville.

" Item, An uther contract written by the Erle of
" Huntlie's hand, of the date the v. of April 1567.

" Item, The depoſitiounis of the perſounis who
" wer airt and part of the murder, and wer executed
" for the ſamin *."

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* From Goodall, ii. 84—88.

N° XII.

ANE LETTER PRESENTIT BE THE BISHOP OF ROSS, TO THE QUENE'S MAJESTIE OF INGLAND, FOR INFORMATIOUN, AND DEFENCE OF THE QUENE'S MAJESTIE OF SCOTLAND.

. . . .

"... . For the alledgit writingis, in form of
" miſſive letteris or epiſtles, quhilk makis na faith
" ſpeciallie, quhair, in the ſamin, no word is diſpo-
" ſiting or giving expreſs command, as in this may
" be ſene; and alſwa thay are not ſubſcrivit be the
" alledgit writer thairof, nor ſeillit nor ſignetit, and
" contain na dait of zeir, moneth, or day, nor zit
" direct to na man; and in the ſamin thair is na
" mentioun maid of ony beirar, as is alledgit, quha
" was never zit knawn, as did receive thame fra
" hir, or deliver thame at hir command, to ony
" uther in the warld.

. . . .

" Preſentit the xvii. of December 1568 *."

AN EXTRACT FROM THE BISHOP'S PUBLISHED DEFENCE OF QUEEN MARY'S HONOUR.

" NEVERTHELESSE, when you [Murray,
" &c.] have taken your beſt advantage you can of

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* From Queen Mary's Regiſter, Cott. Lib. Titus, c. 12. Goodall, ii. 389.

" them, ſuch kinde of letters miſſive and epiſtles;
" eſpecially not conteining any expreſſe commaundement of any unlawful acte or deede to be committed and perpetrated, not ratifying or ſpecifying the accompliſhment of any ſuch facte already paſt, but by unſure and uncerteine gheſſes, aymes, and conjecturall ſupposinges; are not able in any wiſe to make a lawful preſumption, much leſſe any good and ſubſtantial prouſe, not only againſt your Soveraigne and Prince, but not ſo muche as againſt the pooreſt woman, or ſimpleſt wretched creature in al Scotland. . . . . . But yet, ſay you, they are her letters. She denieth, and we denie them too. There is neither ſubſcription of the writer, nor ſuperſcription unto whom they were directed: they are neither ſealed nor ſigned; there appeareth neither date, wherein the were dated, neither day nor moneth. There is no mention made of the bearer, who is, as it may be ſuppoſed,—the man in the moone. He was never yet knowen nor herd of, that did either receave or deliver them. For as for him that ye ſurmiſe was the bearer of them [Paris], and whome ye have executed *of late* for the ſaid murther, he, &c. *"

This work was written originally, ſays Alexander Harvey a ſervant of the Biſhop's, upon his examination April the 18th 1570, "about twelve

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* P. 17—19, Anderſon, i.

" months before, by the Lord Hereys and Lord " Boyd and the Biſhop of Roſs; as his maſter the " Biſhop told him." Or, as the Biſhop ſays more circumſtantially himſelf, " the Book of the Defence " of the Quene's honour Thomas Buſshop made, " at the information of the Lord Harris, before " this Examinate's comyng into England," to the conference at " York in October 1568; and that " booke was reformid and encreaſed by Thomas " Buſshop, this Examinate, Lord Harris, and others, " at the conference at Weſtmynſter *." It was begun, therefore, juſt before the conference at York, in the month of September 1568; and was altered and enlarged during the conference at Weſtminſter, in the months of November and December afterwards; by theſe the moſt active and vigourous of Mary's commiſſioners, and by Thomas Biſhop acting as ſecretary under them: Lord Boyd leaving London December the 22d †, Lord Herris and the Biſhop leaving it February the 4th ‡, all meeting again at the Queen's priſon of Tutbury in Staffordſhire on February 9th ||, and thence ſeparating ſoon for ever ¶. But, ſays the ſervant again on the ſame authority, " it had lain ever ſince by " the Biſhop, to be amended as occaſion ſhould " ſerve **." It was accordingly amended, by receiving ſeveral additions. Among the reſt was a reference to the dying ſpeech of Paris, who was

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[*] Goodall, ii. 93 and 353, Murdin, 52 and 29.

[†] Goodall, ii. 278, and 314.

[‡] ii. 333—336.

[||] ii. 367.

[¶] ii. 368, and Leſley's Negotiations, 42—43.

[**] Anderſon's pref. iv.

not executed before the Auguſt ſucceeding[*]. And Murray, in his inſtructions of October the 15th following, ſays juſt as the Biſhop ſays here; that "Paris, a Frenchman,—was preſent at the com-"mitting of the murder, and *of late* execute to the "deith for the ſamin[†]." For theſe reaſons, the work declares itſelf to have been "imprinted at "London in Flete Strete, at the ſigne of Juſtice "Royall againſt the Black Bell, by Euſebius Di-"cœophile, Anno Dom. 1569[‡]:" not abſolutely in 1569, as we *now* make our computation of time, and as this has always been interpreted to mean; but, as appears from what I have juſt ſaid, in that part of 1570 which was then reckoned into the year preceding. It was ſent to the preſs, adds the ſervant, by "his maſter the Biſhop *about* Eaſter "then laſt," and yet *before* the 25th of March. The firſt page, which carried the fictitious name of the printer as above, and the laſt, which repeated the fictitious name again, on that account were equally dated in 1569; becauſe the laſt and the firſt pages, I believe, always formed a ſingle ſheet in a pamphlet then, and therefore were always printed off as the laſt ſheet of the whole[‡].

The laſt gave the ſame account of the printer as the firſt, and then ſubjoined theſe words concerning the bookſeller; "and are to be ſold in Paul's

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[*] Goodall, ii. 76. [†] Ibid. 88. [‡] Anderſon's pref. v.

[‖] So, "the firſt edition in French" of Mary's pretended letters, "bears *in the title-page* and *at the end of the book*," that "the printing of it was finiſhed upon the xiii. day of February 1572" (Goodall, i. 104).

"Churche Yearde, at the ſignes of Tyme and "Truthe, by the Braſen Serpent, in the ſhopes of "Ptoleme and Nicephore Lycoſthenes, brethren "germanes *." A vindication of Mary would ſo little be reliſhed by the defaming genius of Elizabeth, in the opinion of a biſhop who knew her well; that, though he inſerted "ſome ſentences" in it "very full of reſpect and honour towards Q. "Elizabeth †," yet he dared not to prefix his own name, the name of the printer, or the name of the bookſeller, to it. Nor was he miſtaken in his judgment. "Before eight leaves could be finiſh-"ed" at the preſs, ſays Cecil himſelf, glorying in the dexterity of his oppreſſiveneſs; "intelligence "was had" of the work. The biſhop was ſuſpected to be the author. A ſervant of his was ſeized. He betrayed his maſter. And the book, which by this time had been printed and publiſhed, was violently ſuppreſſed ‡. Such was the ſteady villainy, with which Elizabeth and Cecil endeavoured to deſtroy the reputation of Mary; to draw down the baſeſt imputations upon her; to patronize every private and publick calumny againſt her; yet to debar her from all private refutation of the charges, and to preclude her from all publick vindication of her innocence!

In conſequence of this, the Biſhop's defence of his injured miſtreſs was forced to be carried abroad, and printed at a foreign preſs. Neither England nor Scotland, at this period, would ſuffer any writ-

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* Anderſon's pref. vi. † Ibid. xii. ‡ Ibid. iv. and v.

ing to be publiſhed in her favour. So much did the rebels, and their aſſociates, dread the force of proclaimed truth, and the energy of aſſerted innocence! The work was re-printed at "Liege, by "Walter Morbers, 1571." But even yet the Biſhop could not venture to avow it, with any ſafety to himſelf. He himſelf was ſtill in England. The fell ſpirit of malignity in Elizabeth, was only inflamed by the hand of time. And the vindication pretended itſelf to be "made, by Morgan Philippes, "bachelar of divinitie, An. 1570 *." The long arm of Elizabethan tyranny, however, was able to reach the Biſhop behind all his guards. Some copies of this ſecond edition being ſent to England, they were ſeized immediately on their landing. The ſecond edition was ſuppreſſed, like the firſt. And a copy of either is become very ſcarce at preſent †. So very ſtudious, and ſo nearly ſucceſsful, was this wretched woman; to rob poſterity of all true information concerning Mary, and to deliver us over to the deluſions of her own and Murray's impoſtures!

But ſhe did more than this. She ſeized the Biſhop. She threw him into priſon. She minded not the ſacredneſs of his character, as an embaſſadour. He had been intriguing with her diſcontented ſubjects. He had been publiſhing what ſhe did not like. *Her* embaſſadours, however, had been uniformly and invariably intriguing with Mary's ſubjects in Scotland, and yet had never been

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[*] Anderſon's title-page, and pref. vi.

[†] Anderſon's pref. vi.

ſeized and never been impriſoned. But Elizabeth was too violent, to obſerve any meaſures of equity in her conduct. *Her* embaſſadours might foment rebellions in Scotland, yet Mary's ſhould not in England. Mary's ſhould not even preſume, in any publication whatever, to juſtify their calumniated Sovereign. He was repeatedly examined in council, therefore, concerning his intrigues and his book *. Even one Cockyn, his bookſeller, and one Good, his phyſician and friend, were equally examined concerning the latter †. He was kept in the tower for many months, under very ſtrict confinement, and in continual expectation of death. He was actually doomed to death. All the laws of nations were daringly trampled upon, by this Grand Seignior of the ſex. But in January 1574 he was at laſt releaſed, on the preſſing ſolicitations of the King of France. He retired immediately into his dominions ‡. And there, at Rheims, in 1580 he re-publiſhed his work in Latin, *prefixed his own name to it*, and declared it to have been "firſt compiled by *him* in Engliſh, while he was embaſſador "in England for Q. Mary, and now tranſlated by "*him* into Latin §." *He* therefore was the compoſer of the work. The lords Boyd and Herris only ſupplied facts and circumſtances. It was firſt begun "at the information of the Lord Harris." It was afterwards "reformed and increaſed" by the

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* Anderſon, vii. and viii. † Ibid. xi. ‡ Leſlæi Vita, 6—7, Anderſon, 1; and Negotiations, 166—167, 192—194, 196—197, 230, 244, 245, 246, 248, and 251—252, Anderſon, 111. § Anderſon, viii.—ix.

Biſhop, under the inſtruction of "the Lord Harris and others." Mary alſo, as appeared on Good's examination, made ſome corrections and additions to the whole. It was, ſays Anderſon, "returned to the Biſhop *corrected*, with *ſome notes by the Queen to be added thereto*[*]." And all contributed to form a vindication of Mary, that has a very great ſhare of merit; that might have been ſufficient of itſelf, in the eye of calm reaſon, to have ſaved her honour in the firſt moments of aſſault upon it; and has proved a very uſeful ſtorehouſe of arguments, to all the vindicators of her reputation ſince.

The book, however, was little known. The very ſcarcity of copies muſt neceſſarily occaſion this. And how can an author convince, unleſs he is read? At laſt however, no leſs than 157 years after its firſt publication, Mr. Anderſon, an enemy to Mary, and, as almoſt all her enemies have been, an unfair one; very ingenuouſly re-publiſhed the work in his collection of papers, 1727. It has thus become generally known and admired. The more it is known, the more it will be admired. It is actually ſerving the cauſe of Mary very powerfully, at preſent. And her friends muſt ever own their obligations to Mr. Anderſon, for furniſhing them with it.

He ſaw that the Biſhop had followed chiefly the *ſecond* edition, in his Latin publication of it at Rheims. This is fuller in the preface than the firſt, and has all the compliments to Elizabeth very properly retrenched in the work itſelf. And therefore Mr. Anderſon followed it entirely in his *.

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[*] Anderſon, xi.

Leſley's Defence of Mary, then, was principally written by the Biſhop, *while* the conferences were *proceeding* at Weſtminſter. But its oppoſed work, Buchanan's Detection, was all written *before* thoſe conferences were *opened*. This is plain from the prefatory words of it. "A greit part of this greif "is relevit," it ſays *to* Elizabeth, "be zour equitie "(maiſt excellent Quene); quha tak it na les diſ"pleſandly to ſe zour kinniſwoman, than we to ſe "our Quene, thus in ſpeiche of all men to be diſ"honorabillie reportit; quha alſwa ar for zour part "na les DESYROUS to *underſtand the treuth*, than we "for ouris to *avoide ſclander*. *Thairfoir* we will "knit up the mater als breifly as poſſibilly may "be †." When this ſentence was written, as Elizabeth is ſaid by it to have been yet *deſirous* to underſtand the truth, and the rebels are equally ſaid to have been yet *deſirous* to avoid ſlander; the conferences had not yet begun at all. They begun at York. They ended there. They begun again at Weſtminſter. There, *at the very time the letters and ſonnets were produced*, was produced the finiſhed Detection of Buchanan. Murray, ſays Camden, exhibited to the commiſſioners at Weſtminſter "certaine love-letters and verſes, written (as he af"firmed) with the Queen's own hand;—and *Bu"chanan's book, intitled the Detection, he delivered*

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* Anderſon, ix, xii, and xiii. † Ibid. ii. 1, and Jebb, 1. 237.

" *to them to reade*; which found ſmall credit with " the greateſt part of the commiſſioners, he being " a man partial on that ſide, and of mercenary cre- " dit*." This infamous work muſt have been alſo preſented to Elizabeth at the ſame time, as to Elizabeth it is formally addreſſed. Accordingly a publication, ſtill nearer to the time than Camden's, and made by Cecil himſelf, informs us; that the Detection was written by Buchanan, " not as of " hymſelfe, nor in hys owne name, but *accordyng to " the inſtructions to hym given*, by *common conference " of the lordes of the privie counſel of Scotland*; by " hym onely for hys learnyng penned, but *by them " the mater miniſtred*;" and that it was " *overſeen*, " and *allowed*, and *exhibited* by *them*, as mater that " thay *have* offered, and do *continue* in offeryng, to " ſtand to and juſtifie, before OUR SOVERAIGNE " LADIE, or her Highneſſes commiſſioners in that " behalfe appointed; and what proſe they have " made of it already, when they were here for that " purpoſe,—all good ſubjectes may eaſely gather " by our ſaid SOVERAIGNE LADYES procedyng " ſins†." And Mr. Goodall ſpeaks of " a written " copy—, which is thought to be the very copy " that Buchanan preſented to Queen Elizabeth;" and out of which he cites a paſſage, though he does not tell us where he ſaw it‡.

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* Annals, Tranſ. 117, and Orig. 144. † Goodall, ii. 377. ‡ Ibid. i. 327. I naturally ſuppoſed it to have been ſeen by him in the advocates library at Edinborough. But, on inquiry from Mr. Tytler, I find he himſelf knows not of it. And

Thus were Leſley's Defence, and Buchanan's Detection, the *manifeſtoes* of their reſpective parties. The former was written in November and December 1568; and the latter about Auguſt before, *at the ſame time with the ſonnets and the contracts*. The former received ſome additions afterward; and ſo mentioned the death of Paris, which happened in Auguſt 1569. The latter equally received ſome additions; and noticed the murder of Murray, which was perpetrated in January 1570. And, if the copy mentioned by Mr. Goodall be the very copy preſented to Elizabeth, it can have no alluſion to this murder in it.

A diſpute has ariſen, whether Buchanan ever repented of writing this work againſt Mary. The point however, in my opinion, is not to be diſputed. He plainly, I think, repented. But he did not do ſo to any vigourous effect, till the very laſt days of his life. Only a month before his death, he publiſhed his Hiſtory; there repeated moſt of his impudent ſlanders upon Mary again; and added to them many hundreds more, upon her and others *. So long did he perſiſt in that dreadful courſe of abuſiveneſs, which he had commenced in his Detection! But he repented very ſtrongly afterwards. His "atheiſm" and his "lewdneſs" impelled him ſteadily on, in ſpite of incidental fits of repentance; while health admi-

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And Mr. Brown, the keeper of the library, declares it is not there. He had received extracts from many papers, which he reſerved for an intended Life of Mary, and on which therefore he only glanced in his preſent work.

* Goodall, i. 134.

niſtered ſpirits, and life averted vengeance. But, when age and ſickneſs came, his wretched ſupports failed him. The poor gratifications of the body ſhrunk up into nothing in their influence, before the advances of age. And the flimſy ſuggeſtions of ſcepticiſm; thoſe looſe and wild reveries, that are ever hovering about the head of ſyſtematic profligacy, and are indeed the neceſſary preſervatives of the guilty mind from deſpair; all are ſwept away before the hand of death, as the cobwebs of the morning before the riſing ſtorm. In a period of univerſal religiouſneſs, the mind of Buchanan muſt have been too ſtrongly impregnated with the hopes and fears of Chriſtianity, not to feel them burſting out with increaſed energy upon his ſpirits, at the approach of death. He awakened at once from the delirium of profligacy, to the mournful realities of his ſituation. He was now at that awful period of his exiſtence, at which probation was to terminate, and remuneration to begin. His enormities of ſlander againſt Mary, roſe with a peculiar dreadfulneſs before his ſoul. He lamented them openly and vigourouſly. He wiſhed for longer life to recal them. And he expreſſed his willingneſs even to ſhed his blood, if God would allow him time, in atonement for the wrongs which he had done her.

All this isſubſtantially related to us by his cotemporary Camden, a man of the firſt character for veracity, and a writer of the firſt rank for information. Buchanan, he ſays in his Annals, "*ſighing* "and *ſorrowing* [ingemiſcens], *ſundry times* [ſub-

" inde] blamed himſelf (as I have heard), BEFORE " THE KING, to whom he was ſchool-maſter, for " that he had *employed his pen ſo virulently againſt* " *that well-deſerving Queen:* and UPON HIS DEATH-" BED" [at his death, moriens] " wiſhed *he might* " *live ſo long*, till, by recalling the truth, *he might*, " even with his *bloud*, *wipe away thoſe aſperſions*, " which he had by his bad tongue unjuſtly caſt " upon her; but that (as he ſaid) it would now be " in vain, ſince he might ſeem to dote for age*." Camden indeed mentions this awful anecdote, with a ſeeming limitation of the reader's faith, by his referring to verbal information for the truth. Yet this is only a ſeeming limitation. It reſpects only that repentance of Buchanan, which was profeſſed to the King in the hour of health, and came antecedent to the repentance of his dying moments. His ſorrow *then* wanted the invigorating preſence of death, to make it ſtrong and powerful. He "ſighed" to the King. He " ſorrowed" before him. He did both " ſundry times." Yet he ſtill went on in bold and impudent fictions of ſlander. He wrote and he publiſhed his Hiſtory. But, when he ſaw the hand of death upon him; and eternity ſtood before him, arrayed in all its flames, and armed with all its ſcorpions; he felt his former ſorrows returning upon him, more violent from their obſtruction before, and he found himſelf overwhelmed with his own remorſe.

Nor can any doubt be entertained, even of thoſe

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* Annals, Tranſ. 88, Orig. i. 110.

"compunctious viſitings of nature," which were ſo ineffectual in themſelves, and are founded upon oral authority by Camden. Camden, who could beſt judge, believed them to be true; or he would not have reported them. "I have myſelf," he ſays in his prefatory addreſs to the reader, "ſeen "and obſerved many things, and *received others* "*from credible perſons* that have been before me, "men who have been preſent at the tranſacting of "matters, and ſuch as have been addicted to the "parties on both ſides, in this contrariety of reli"gion: all which I have in the balance of mine "own judgment (ſuch as it is) weighed and exa"mined, leſt I ſhould at any time, through a be"guiling credulity, incline to that which is falſe*." And Camden received his account of Buchanan's earlier touches of remorſe, mediately or immediately, from King James himſelf. James, a few years after his elevation to the throne of the whole iſland, appears very naturally ſolicitous for the reſcue of his mother's character, from the forged ſlanders of her rebels. He particularly employed Iſaac Caſaubon in 1611 to write to Thuanus, on the falſhoods in his Hiſtory, which Thuanus had adopted from Buchanan. Caſaubon's letter is ſtill preſerved. "Iniquiſſimo," he ſays, "fert animo Rex, "alioquin æquiſſimus, te in opere contexendo a "certis hominibus deceptum, et extra veri regio"nem longé abductum, de glorioſiſſimi nominis "Reginâ, ſemper venerandâ ſibi parente, ea per"ſæpe in literas retuliſſe,—*quæ ſcit ejus Majeſtas*,

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* Preface.

“ et *ſcit certiſſimé*, falſa eſſe.”—“ *Solet* ſereniſſimus “ Rex,” he adds,—de immanitate temporum, et “ rerum omnium confuſione, *multa narrare et* “ *mira*.—“ Viſum eſt Regi piiſſimo faciendum,” he tells him, “ ut accuratam, certam, et veriſſimam “ hiſtoriam rerum illarum curaret componendam, “ et ad te mittendam.” This was to be drawn up by Sir Robert Cotton. Sir Robert was even then drawing it up. “ Rex ipſe,” as Caſaubon ſubjoins, “ *quo nemo eſt hodie callentior iſtarum rerum*, ſingula “ recenſet, atque ad exactiſſimam veritatis trutinam “ exigit.” The whole was compleated ſoon afterwards. And Thuanus, in a letter to Camden himſelf two years afterward, acknowledges to have received Sir Robert's “ Memoirs,” which had been ſent him by the King's order in two ſucceſſive packets, and carried down the hiſtory to 1582[*]. Theſe Memoirs, *whatever is become of them now*, Camden peruſed, no doubt, among thoſe other papers in Sir Robert's library; to which, and to the perſonal informations of the owner, he pays ſo ſtrong a compliment as to ſay, that, if the reader finds either profit or delight in his Annals, he muſt aſcribe it to theſe communications[†]. From theſe Memoirs, or rather from theſe reported converſations of the King to Sir Robert and others, he certainly derived his intelligence, concerning Buchanan's expreſſed contrition to the King himſelf. And the aſſerted fact ſtands firm, upon the credit of Camden the reporter, and upon the authority of King James the relater.

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[*] Ruddiman's preface to Buchanan, xii. and xiii.

[†] Camden's preface.

But the other part of the narrative, the account of Buchanan's dying penitence, ſtands even more firm. It is given by Camden, without any reference to information at all. It appears, therefore, without the ſlighteſt ſhade of doubt about it. Buchanan, he ſays, "upon his death-bed" [at his death, moriens] "wiſhed he might live ſo long, "till, by recalling the truth, he might, even with "his bloud, wipe away thoſe aſperſions, which he "had by his bad tongue unjuſtly caſt upon Mary." And he accordingly repeats in another place the ſubſtance of what he has here ſaid, and equally without any reſtrictions of reference. Buchanan, he tells us under 1582, "NOW WITH SORROW REPENTED" [the words of the original are much ſtronger, DOLENTER INGEMUIT, when the word before was only *ingemiſcens*, the deep ſorrow of the dying moments being expreſſively raiſed above the lighter ſorrow of the hour of health], "that he "had formerly maintained the cauſe of factious "people againſt their princes; and SOON AFTER "DIED," paulò poſt obiit*.

All theſe paſſages unite to form an account, too clear to be darkened by the doubts, that have been raiſed againſt it, and too pointed to be blunted by the oppoſition, which has been made to it. Whatever the friends and the enemies of Buchanan, have ſtrangely conſpired to inſinuate againſt it †; whatever

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* Tranſ. 275, Orig. 332.

† Goodall, i. 134, Stuart, ii. 177, Jebb, i. preface, and Buchanani Vita, Ruddiman, xi.

ever Thuanus or his anonymous enlarger, particularly, have aſſerted directly to the contrary of it*; the early and the final repentance of Buchanan, is too powerfully atteſted to be queſtioned. The authority of Thuanus himſelf is no ways equal to Camden's, for an incident in our iſland hiſtory. The authority of an anonymous writer, cannot carry the weight of a ſtraw againſt him. The account alſo given by Thuanus or his anonymous continuer, *obviouſly confutes itſelf*; by making Buchanan allude to *what happened after his death*, and *anticipate* the *proſcription of his works by parliament*. "Ubi exſpiraverit," ſays the forged ſpeech of this great forger, "in Regis poteſtate futurum, ut *de* "*ſcriptis illius pro arbitrio ſtatueret*; tantúm, *quid* "*de eâ re acturus eſſet*, pro prudentiâ ſuâ anté ma-"turé conſuleret," &c.† This is ſo pointed a reference, to what happened above NINETEEN MONTHS after he was dead‡; as betrays the forgery of the whole at once.

The Annals of Camden, therefore, ſtand unoppoſed. They were, before, deciſive vouchers of the truth. But they are doubly deciſive now. And Buchanan appears, as every good man would wiſh him to appear, *at laſt* ſtunned effectually into ſobriety by the ſtroke of death, *at laſt* rouſed effectually into remorſe by the terrours of judgment, and, with his dying tongue, proclaiming loudly the falſhood and forgery of his calumnies againſt Mary *.

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* Jebb, i. preface. † Ibid.

‡ Buchanan died September 28, 1582, and the law alluded to was paſſed in May 1584.

Nº XIII.

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* Concerning the anonymous enlarger of Thuanus, Bayle gives us this account, in that multifarious collection of facts and opinions, which is called his Dictionary. Varillas, he tells us, ſays thus in the *preface* to his five volumes de l'Hiſtoire de l'Hereſie. "There are in the [French] King's library the "five volumes of the Preſident de Thuanus's hiſtory, in the "margins whereof *the youngeſt of Meſſieurs du Puy* had writ-"ten *with his own hand* the moſt curious facts, that *he and his* "*brother* had judged fit to be retrenched from it, *when it was* "*printed*. I have read in the additions to the 4th volume, "that Buchanan being ready to expire," &c. But this very ſame Varillas, as Bayle obſerves, touches the ſame ſubject again in *the body* of his work, and reports the fact very differently. "In the original of M. de Thuanus's hiſtory," he *then* ſays, "in the place where the death of Buchanan is ſpoken of, there "is written with that illuſtrious *Preſident's own hand*, That "James the Sixth," &c. "Theſe variations and theſe ſhuf-"flings," adds Bayle himſelf, "maintain the preference that "Camden deſerves." But they do more. They prove, that Varillas *forged the whole ſtory*. Had he ever ſeen a copy with ſuch additions, he could *not* have aſſerted the additions at one time, to be the hand-writing of Monſ. du Puy the younger, and to be reaſons for ſuch retrenchments, as the two Meſſieurs du Puy thought proper to be made in the book; and have affirmed them at another, to be not in the hand-writing of Monſ. du Puy at all, but in that of Thuanus himſelf. And the non-appearance of ſuch a copy in the French King's or any other library, from the days of Varillas to the preſent time, is a confirmation of the inference deduced from this groſs contradiction; and concurs with it, and with the forged ſpeech above, to prove the whole a forgery of Varillas's.

Nor is this all the forgery, that I wiſh to expoſe here. When formerly a poet died, his brother-bards uſed to write verſes upon him, hang them on his hearſe, and lay them in the grave with him. Juſt ſo the forgers appear to have acted with Buchanan.

N° XIII.

CONCERNING CRAWFORD'S MEMOIRS.

THIS very valuable work has been repeatedly uſed by me, in the body of the Vindication preceding. It is replete with uſeful and pointed intelligence. But it has been publiſhed in ſuch a manner, as throws a ſhade of ſuſpectability over it. And to notice the circumſtance, I think an act of juſtice to the hiſtory and the reader.

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chanan. The hearſe and grave of this grand forger are infamouſly decorated with forgeries, by his brothers in iniquity. I have juſt noticed one of Varillas's. And Bayle has unwittingly recorded another. "I have heard a Scotch lord ſay," he tells us, "that when Buchanan was aſked on his death-bed, "whether he did not repent of what he had written againſt "the authority of Kings, and in particular againſt the honour "of Mary Queen of Scots; he anſwered, I am going to a "place where there are no Kings" (Bayle under *Buchanan*, London, 1720, tranſlated, with additions and corrections by the author, not in the French). Thus do theſe republican forgers keep hovering, like ſo many dæmons, about the deathbed of their favourite Buchanan; urging him (as it were) to die a hardened felon, and exulting over the ſucceſs of their forgeries in the conſequent perdition of his ſoul. They go on to accumulate one forgery upon another, in order to deny what is ſo happily true, the final repentance and remorſe of Buchanan. And the laſt forgery is evidently derived from a reality, that is much more recent in its date, not ſo dreadful in its nature, and belonging to another perſon. In the grand rebellion, Baxter, a man infinitely ſuperiour to Buchanan in that firſt flame of the heart, *principle*, but carried away by the wild

Theſe Memoirs begin at the birth of King James in 1566, and end at the death of Morton in 1581. But the author of them lived long after the year of their termination. He expreſsly mentions 1585, in one part of his work *. And, in another, he hints at the nomination of Sir Robert Melvill to the office of vice-treaſurer of Scotland †; which happened in 1589. The work however was drawn up at the time. "He had not," ſays the publiſher, "fully digeſted his matter into form and method, "having marked down things (as it ſeems) juſt "when they happened, or when they came firſt "within the reach of his knowledge ‡." But he had corrected the MS. from time to time afterwards. This is plain, from the references to years beyond the period of his hiſtory. And it is equally plain from ſome incidental alluſions in the courſe of it; twelve thouſand pounds being ſaid to be "a round ſum in thoſe days §;" Morton's arms being alſo ſaid to be put up on the caſtle of Edinborough in 1574, "which," adds the writer, "I

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wild extravagance of the times, is ſaid to have made a new verſion of the Lord's Prayer in part; and to have altered the clauſe, "thy KINGDOM come," into this, the laſt extreme ſurely of republican inſanity, "thy COMMONWEALTH come." The kingdom of Heaven thus became the commonwealth of Heaven, under the magick wand of madneſs. And it ſo continued, I think, till the Reſtoration: when Heaven, like Britain, recovered its royalty; and the uſurping commonwealth of the ſectaries, again gave way to Chriſt's original kingdom of Heaven.

* P. 351. † Pref. xxxvii. ‡ Ibid. xxxix.
§ P. 182.

" preſume remain entire to this hour, and may be " yet ſeen by the curious *;" and King James being equally ſaid, " though then ſcarce twelve years " old," to have " offered his own opinion with " that calmneſs and that cunning, which appeared " inſeparable from him in all the actions of his " life †."

" As for the author's fortunes or particular cha- " racter," the publiſher tells us, " I am wholly in " the dark: however, thus much may be eaſily " gathered from his works, that he was a man of " ſenſe, and one that made not a very mean figure " in the world; as appears by the juſtneſs and ſo- " lidity of his reflections, and his more exact and " particular account of the various tranſactions and " turns of ſtate in his time, than is to be met with " from any one author upon the ſame ſubject ‡." But let us not reſt our curioſity here. Let us try to puſh it to ſomething like a particular concluſion. Let us endeavour to aſcertain with ſome degree of probability, who the perſon is to whom we are indebted for ſo much information. And he was, I think, Sir John Gordon of Lochinwar in Galloway, anceſtor to Lord Viſcount Kenmure. In 1555 Sir John was appointed by Queen Mary, juſticiary to the ſtewartry of Galloway; was married to a daughter of Lord Herris in 1563, ſo became brother-in-law to the gallant Lord Herris; and was one of the jury at the trial of Bothwell, in

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* P. 313. † P. 328. ‡ Pref. xxxvi.—xxxvii.

1567 [*]. Sir John was alſo one of Mary's friends, at the battle of Langſide in May 1568 [†]; and the author appears accordingly to be of Mary's party. Sir John was equally one of Mary's commiſſioners, at the conferences in England [‡]; and therefore the author is ſo particular, in his accounts of thoſe conferences [‖]. Sir John was related to the noble houſe of Gordon by deſcent [§], and united to the head of it by intimacies [¶]; and therefore the author is ſo knowing, concerning the tranſactions of the Gordons in the north [**]. And, as Sir John lived on even to 1604 [††], the author might well allude to the years 1585 and 1589 particularly; and even throw out ſome hints, as if he was correcting his hiſtory at a period, conſiderably poſteriour to that which he was deſcribing in it.

But how came the work itſelf into the hands of the publiſher, Mr. David Crawford of Drumſoy, hiſtoriographer to Queen Anne? He had it, as he tells us himſelf, in "an antient MS. preſented him "by his very good friend, Sir James Baird of "Saughtone-hall; who purchaſed it by mere acci-"dent, from the neceſſitous widow of an epiſcopal "clergyman [‡‡]." The original MS., then, was either lent or given by the author's family, to ſome perſon out of it; was in the poſſeſſion of an epiſcopal clergyman, at that violent period of the Scottiſh hiſtory, when King William tore down the hierarchy in Scotland, which he was obliged to ſupport in England; was ſold afterwards by this clergyman's widow, amidſt the diſtreſſes in which William had involved her and her late huſband, to Sir James Baird; and was finally preſented by him to the publiſher. And thus it came at laſt to the point, for which probably it had paſſed at firſt out of the family of the author; and was publiſhed in 1706.

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[*] Douglas's Peerage, 369—370, Robertſon, ii. 457, and Memoirs, 17. [†] Appendix, N° xvii. [‡] Goodall, ii. 109. [‖] P. 91—120. [§] Peerage, 366—367. [¶] Memoirs, 311. [**] P. 77, 238—240, 256—260, and 294. [††] Peerage, 370. [‡‡] Pref. xxxvi.

But Mr. Crawford acted very injudiciouſly in the 3 publication. Inſtead of giving us the work juſt as it ſtood in the MS., he ſet himſelf, forſooth! to refine the language, and to improve the method, of it. "If I had delivered things in the author's "own ſtyle," he ſays, "it would have proved tedi-"ous and heavy to the nice reader; and, by many "in our neighbouring nation, could hardly have "been underſtood without a dictionary *." He ſhould therefore have added a gloſſary to the whole; or elſe have explained every old word as it occurred, by a note upon the margin. But he fantaſtically choſe to new-form the language, in order to ſave the "nice" reader from an abſurd diſguſt. And he did even more. "I muſt acquaint my "reader too," he ſays, "that the author had not "fully digeſted his matter into form and method." And, "as to the method and ſtile in which he now "appears," he modeſtly apologizes for both as his

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* Pref. xxxviii.

own *. But he has done even more than all this. He has *added* to the whole. He has *ſubſtracted* from the whole. He has made bold and daring alterations in it.

He ſpeaks indeed thus of his own conduct. "I "declare ſolemnly," he ſays, "I have not (that I "know of) wreſted any of his words, to add to one "man's credit, or impair the honeſty of another; "and—I have—kept as cloſe as poſſible, to his "meaning and ſenſe †." That he *intended* to do this, we are bound to believe upon the authority of his own aſſurance. But that he did *not* do it, is too plain to be doubted. That he has changed the *form* of the whole in method and in ſtile, he acknowledges himſelf. "I had all the *ſubſtance* of "theſe ſheets," he ſays, "from an antient MS." &c. ‡ And "my readers will be pleaſed to know," ſays Keith, "that as often as I ſhall have occaſion "to quote theſe Memoirs, I take my quotations "from a MS. copy, *which was taken from the very* "*MS. made uſe of by Mr. Crawford*, before he "cauſed it to be printed: there are CONSIDERABLE "VARIATIONS, betwixt the manuſcript and the "print ||."

This aſſertion is too true. There *are* conſiderable variations, betwixt the print and the MS. Some of theſe it is requiſite to ſpecify, for the fuller illuſtration of the point. And I ſhall ſpecify them at ſome length, to illuſtrate the point more fully.

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* Pref. xxxix. † Pref. xxxviii. ‡ Pref. xxxvi.

|| P. 330.

The MS. ſaid concerning Bothwell's trial, that the jury "acquitted him from all ſuſpicion of ac-"ceſſion to the murder of the King, becauſe it "was neither proved by witneſſes, nor notified to "be probable accuſation *." And the print ſays, "that Bothwell was unanimouſly acquitted by a "very honourable jury, of all ſuſpicion as well as "action of murder, not ſo much as one probable "circumſtance being adduced againſt him †." Here the alterations in the turn as well as terms of the language, are merely wanton at the beſt. But they are more than wanton. Two circumſtances are thrown in, concerning the *unanimity* and the *honourableneſs* of the jury. One is omitted concerning the *want of witneſſes*. And the original ſenſe of the laſt clauſe, is *overdone* in the preſent language of it.

The author alſo ſaid, that Mary promiſed immediately before the battle of Langſide, "if any "man ſhould ſlay any Earl of the adverſaries, he "ſhould have a forty-pound land; for the ſlaughter "of a Lord, a twenty-pound land; and for ſlaughter "of a Baron, a ten-pound land ‡." But the *laſt* clauſe is totally omitted by the publiſher. With him Mary is "promiſing to each of them who "killed an Earl in the field, a forty-pound land; "and for the *head* of a Lord, twenty ‖."

"In this month," ſays the *copy*, "landed Mon-"ſieur de Villeroy, ambaſſador from France; who

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* Keith, 377. † Memoirs, 17. ‡ Keith, 400.
‖ Memoirs, 33.

" being barred acceſs to the captive Queen, re- " turned ſuddenly home again *." " In that " month," ſays the *original*, " came an ambaſſador " from France, called Monſ. de Villeroy, to know " the eſtate of Queen and country, with letters pa- " tent to her Majeſty, in caſe ſhe were at liberty; " otherwiſe not to divulgate them, but to diſpoſe " of them as he liſt: and becauſe he found ſuch a " troubled eſtate without the majeſty of a Prince, " he departed the country patiently through Eng- " land †." Here the copy is merely a miniature of the original. We have a ſimilar inſtance in another place. " Their ſovereign," the copy tells us, " had yet many and powerful friends, and a juſt " cauſe; amongſt theſe the Hamiltons ſtood firm " for her; but Argyle ſuffered himſelf to be ſo " long tampered with by the Earl of Glencairn, " that he almoſt forgot his loyalty ‡." But " the " Lords," ſays the original, " finding their faction " not ſo ſtrong as their need required, having po- " tent enemies againſt them, of which number the " Earl of Argile was one; they thought expedient " to ſend the Earl of Glencairn, either to perſwade " him directly to be of their faction, or elſe that " he ſhould ſo abſtain as not to be their enemy: " whereby he grew ſo corrupted, that altho' he " ſhewed himſelf in outward behaviour a good " ſubject to the Queen, yet in effect ſhewed him- " ſelf her enemy, as by conſequent ſhall be ſuffi- " ciently proven ‖." But, here, the contraction of the whole is not the only circumſtance remarkable in the paſſage. We ſee evident interpolations in it. The juſtneſs of Mary's cauſe, and the adherence of the Hamiltons to her, are both interpolated.

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* Memoirs, 42.

† Keith, 411.

‡ Memoirs, 43.

‖ Keith, 465.

The King, as the writer *really* informs us concerning the murder of Rizzio, "introduced Pa-
"trick Lord Ruthven with his eldeſt ſon, and
"ſome other conſpirators, through his own cham-
"ber, upon the 9th day of March 1565; and
"there, without either [any] reverence had to her
"Majeſty, not only injured her with words as ſhe
"then ſat at ſupper, but alſo laid violent hands
"on her Italian ſecretary, and haled him unmer-
"cifully to another chamber, and there murdered
"him to death *." The King, as the author is *made* to inform us, "went before into the Queen's
"cloſet, who was at ſupper, and the Counteſs of
"Argyle with her—; and in a few minutes there-
"after—Ruthven, Dowglas, and others, compleat-
"ly armed, ruſhed in at the ſame door †," &c. This is ſo different from that, as to aſtoniſh me. And ſince this is only a part of a regular ſtory, while that is the whole ſubſtance of it; I rather ſuppoſe that to be ſome anticipation of the whole in the original, which has been entirely ſuppreſſed in the copy.

Bothwell, ſays the *true* author, ſeized the Queen, "and conveyed her by force, as appeared, to the
"caſtle of Dunbar, to the end he might enjoy her

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* Keith, 330.

† Memoirs, 9—10.

" as his lawful ſpouſe—. The friendly love was " ſo highly contracted betwixt this great Princeſs " and her enormous ſubject, that there was no end " thereof (for it was conſtantly eſteemed by all " men, that either of them loved other carnally): " ſo that ſhe ſuffered patiently to be led where the " lover liſt, and all the way neither made obſtacle, " impediment, clamour, or reſiſtance, as in ſuch " accidents uſe to be, or that ſhe might have done " by her princely authority; being accompanied " with the noble Earl of Huntly, and ſecretary " Maitland of Lethington *." This extraordinary burſt of weakneſs in an author generally judicious, I have ſufficiently anſwered in the work before. It proceeds upon a ſuppoſition, pointedly ridiculous in itſelf; that a prince, however overpowered by ſuperiour force, ſhould yet ſtruggle againſt it, or elſe muſt be conſidered as conſenting to it. Thus, becauſe the firſt Charles did not act ſo un-heroically, as the little ſouls of his murderers expected him to act; becauſe he did not deign to engage in a perſonal conteſt upon the ſcaffold, with the two ruffians in maſques there; and becauſe he ſpoke and acted with all the compoſed dignity of a ſovereign, in the moments of his murder; he muſt be concluded to have been acceſſary to his own death. And when Mary was carried away by violence to Lochlevin, unleſs we can ſhow her to have made " reſiſtance, clamour, impediment, " or obſtacle," to the deed of carrying her away; we muſt eſteem her to have been in a conſpiracy

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* Keith, 383.

with her own rebels, ſor her own impriſonment. For theſe reaſons perhaps, the *falſe* author has ſoftened the folly of the paſſage, and left us ſcarcely a ſtroke of the credulous original. Bothwell, he tells us, "marched to Almond-bridge, and "there, without any manner of reſiſtance, ſuddenly ſurprized the unwary Queen,—and conveyed her, with the Earl of Huntly and Lethingtone (then in company with her), priſoners to "the caſtle of Dunbar *." The falſification of this paſſage, certainly carries a very ſtrange appearance with it. It is diſcreditable to the publiſher. It is injurious to the publication.

But it did not proceed from any deſign of falſifying hiſtory in *favour* of Mary. We have another inſtance immediately, in which we have the ſame ſort of falſification *for* Mary, oppoſed by a third *againſt* her.

Bothwell and the Queen, as Crawford *ſhould* have ſaid, "had ſcarcely remained be the ſpace of "ten days in the caſtle of Dunbar, and no great "diſtance being between the Queen's chamber and "Bothwell's, when they thought it expedient to "come to Edinburgh caſtle; and by the way the "Queen behaved herſelf to the people, as that "Bothwell was ready to put her at liberty again, "according to the duty of an obedient ſubject. "But, at the entry of the tower that leads to the "caſtle, he made ſemblance to lead her bridle; "and ſenſible people interpreted the ſame, as that

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* Memoirs, 19—20.

“ he conveyed her Majeſtie as a captive into the “ caſtle, where a ſubject of his was, called Sir “ James Balfour *.” Bothwell, as Crawford *does* ſay, “ having thus far gained his point, by having “ obtained her conſent,—brought her with a very “ ſmall guard to Edinburgh:—thus he marched, “ till he came to a narrow paſs as he entered the “ city; where, fearing to be ſurprized by the inhabitants, he ſuddenly took hold of her horſe's “ bridle, and carried her to the caſtle, of which Sir “ James Balfour (a creature of his own) was then “ governour †.” Here he has ſuppreſſed all notice, of the “ no great diſtance between the Queen's “ chamber and Bothwell's,” of the Queen's “ behaving herſelf to the people, as that Bothwell “ was ready to put her at liberty again,” of his “ making ſemblance to lead her bridle,” and of “ ſenſible people interpreting the ſame, as that he “ conveyed her Majeſtie as a captive into the “ caſtle.” But then ſome of theſe circumſtances are as favourable to Mary, as others are un-favourable to her. And the principle which produced both, was merely that impertinence of officiouſneſs, which appears in other parts of this paſſage; which has changed “ the entry of the tower that “ leads to the caſtle,” into “ a narrow paſs as he “ entered the city;” and has ſuggeſted the ridiculous reaſon for ſeizing the Queen's bridle, that he “ feared to be ſurprized by the inhabitants.”

But we ſee the ſame principle operating purely and entirely to the *dis*-favour of Mary, in another paſſage. *Originally* the work gave for the "chiefs "of the faction, Morton, Mar; Lords Hume, "Sempil, and Lindſay; Barons Tillibardine and "Grange; and Secretary Lethington: theſe diſ-"liking the Queen's marriage, and being out of "countenance before, dealt ſecretly with others to "make a faction, pretending thereby to ſet the "Queen to liberty, and put Bothwell to a trial for "the ſuſpected murder; altho' their intention was "rather to ſeek their own liberty by uprore and "rebellion, as in its own place you ſhall hear *." *Now* the work reckons up as "ringleaders in this "rebellion, all of them Murray's faithful friends,— "James Earl of Mortone, the Earls of Marr and "Glencairn, Secretary Lethingtone, the Lords "Sempill, Sanquhar, and Lindſey, with the Barons "of Drumlanerig, Tullibarden, and Grange †." It drops all that pointed account of the faction, which diſſects the hearts of their chiefs ſo compleatly, and ſhows us the grand *fomes peccati* within them ſo plainly. And, as it omits Hume from negligence, it adds Glencairn, Sanquhar, and Drumlanrig from officiouſneſs; and ſubjoins to all, that they were all of them faithful friends to Murray.

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* Keith, 383—384.

† Memoirs, 22.

To theſe I might annex many other inſtances. But theſe are ſufficient to ſhow the wild liberties, which Crawford has taken with the MS. in printing it. Yet, to wind up the whole compleatly, I ſhall juſt mention three very ſtriking inſtances more, and all three different from each other, and from all the preceding. In his preface he expreſsly refers to a paſſage in the Memoirs, which ſpeaks of Sir Robert Melvill as "now made treaſurer depute in Scotland;" and yet moſt amazingly omits it in his copy *. Speaking alſo of ſome merchants being ſeized and impriſoned by Morton, "they had no *Habeas Corpus,*" he ſays, "to regain their freedom; and, to make up that defect in our conſtitution, were forced to purchaſe the free air at a very dear rate †." This interpolation betrays itſelf, by its broad glare, to every eye. But Mr. Crawford takes a bolder ſtep than this, in interpolation; engrafting a formal bond of aſſociation, actually made by the royaliſts, upon the original ſtock of the Memoirs; and coolly giving it as a part of the MS. ‡ And thus, in the raſh dexterity of a coxcomb, he appears to have corrected a language, that was equal to his own; to have reformed a method, which was better than his own; and, under pretence of doing both, to have luxuriated in alterations, to have ſuppreſſed notices, to have inſerted circumſtances, and to have unwittingly encroached upon the very confines of impoſition and forgery.

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* Keith, 394.

† Memoirs, 31.

All ſerves to hurt the reputation of theſe Memoirs. Amidſt ſo many evidences of corruption, we hardly know where to find the text in its original

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* Pref. xxxvii, Keith, 483, and Memoirs, 70—71.

† Memoirs, 312.

‡ Keith, 436, and Memoirs, 60—61.

nal integrity. Our references to it at preſent therefore, except where we have the original preſerved by Keith, muſt be made with a dubiouſneſs of confidence. And I notice the neceſſity for this, in order to be faithful to the truth; and in hopes of inducing ſome gentleman of Edinborough, to procure either Crawford's MS. or Keith's copy of it, and to give it un-ſophiſticated to the world.

Nº XIV.

CONCERNING A FORGERY BEFORE.

IN chapter the 1ſt of the preſent volume, I have noticed a forgery in a very memorable paper, that pretends to contain ſome conceſſions made by Francis and Mary in 1560, to their rebel ſubjects of Scotland. I have there noticed it in ſuch a manner, as ſufficiently proves its general forgery. But I wiſh here to examine the paper more particularly, and to prove the forgery of it from a variety of points. And this is the more expedient at preſent, as ſome parts of it have been recently made the foundation, for erroneous delineations of the Scotch government.

I.

On May the 2d 1560, Francis and Mary iſſued a commiſſion at Chenonceau, to Monluc, Randan, and others; authorizing them to meet ſome commiſſioners from Elizabeth, and to enter with them into "a reconciliation of differences ariſen "with the Queen of England *." Elizabeth alſo iſſued an equal commiſſion to Cecil, Wotton, and others, referring to the French commiſſion, calculated for the ſame purpoſe, and dated on the 25th of the ſame month †. And under theſe two commiſſions was the peace made, between Elizabeth upon one ſide, and Francis and Mary on the other. Yet the preſent paper comes forward, to confound this clear and certain order of things. It pretends to produce a *ſecond* commiſſion for the *French* deputies, dated one month after the other, and at a different place, on *June* the 2d, and at *Remorentin*. The dating words run thus in the French; "donne "a Remorentin le deuzime jour de Jung Lan de "grace mil cinque cent ſoixante et de noz regnes "les primer et ſeizieme." Yet this does not even *pretend* to *revoke* the other; and ſo is proved by the other to be an impoſture, at once. This indeed *takes no notice* of the other; and ſo proves itſelf again, to be an impoſture. This alſo *profeſſes* to be *that very commiſſion itſelf*; and ſo ſhows its own fictitiouſneſs, a third time. It ſtates itſelf to have been drawn up, juſt as the original commiſſion does, for making peace with *Elizabeth*. "We "having received information," it makes Francis and Mary to ſay, "that our ſaid ſiſter [Elizabeth]

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* Keith, 130, and Forbes, i. 460 and 319.

† Ibid. 130—131, and Forbes, i. 494—500.

"is willing to depute ſome perſons to repair thi-"ther [to the frontiers of Scotland] on her part;" they therefore depute Monluc, Randan, &c. "to "meet and aſſemble with the deputies of our ſaid "ſiſter the Queen of England,—to treat concern-"ing the renewing of our—mutual amity." And as *that* ſpeaks of the differences ariſen with Elizabeth, "by aſſembling of men on the borders;" ſo *this* declares ſome commotions in Scotland to have "been the occaſion, that upon the frontiers of the "ſaid kingdom, and thoſe of England, there has "been ſome gathering together of ſoldiers from "both kingdoms, which may have interrupted in "ſome ſort our common amity*." The *ſecond* commiſſion thus arrogates to itſelf, all the power and authority of the *firſt*; and ſo ſhows the impertinence, in diſplaying the bravery of falſhood.

But the ſecond is not content merely to "play "theſe tricks to the eye of Heaven." It not only ventures to paſs itſelf off upon us, for the original commiſſion. It alſo flies in the face of the original. It thus does, what it was fabricated to do. It *directly contradicts the other*. And, with the laſt extreme of forging impertinence and forging bravery, it preſumes to maintain its pretenſions to originality, in full oppoſition to the very original itſelf. Francis and Mary iſſued the real commiſſion, in order to terminate their differences with their rebellious ſubjects of Scotland, but under the form of adjuſting a quarrel between themſelves and Elizabeth; becauſe they would not condeſcend to enter directly into treaty, with the rebels themſelves. "Reges enim Gallorum," ſays even Buchanan, "non credebant e ſuâ eſſe dignitate, in "*æquam diſceptationem cum civibus ſuis* venire *." "Galliæ enim et Scotiæ Regi et Reginæ," ſays Camden nearly in the ſame words, "infra Majeſtatem viſum eſt, in *æquam diſceptationem cum ſubditis* deſcendere †." "The French," adds Spotſwood,—"thinking it diſhonourable for the King "and Queen of France to *treat with their own ſubjects*; they intreated the Queen of England to "ſend her embaſſadours, to mediate an agreement ‡." Yet the *ſecond* commiſſion ſpeaks in terms, of "the *rebellion* of ſome of our ſubjects of "the kingdom of Scotland." It alſo authorizes the deputies expreſsly, "to *give aſſurance to our "ſubjects* of the kingdom of Scotland, that notwithſtanding they have of late *committed ſo grievous a crime*, as *to forget their duty towards us*, if "nevertheles they ſhall repent," &c. §. And the *ſecond* thus goes directly *againſt* the *firſt*, ſo attempts to *ſuperſede* it, and thereby proves itſelf for the fourth time to be a forgery.

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* Keith, 130 and 143. Remorentin, here noticed, is "fourteen myles beyonde Bloys" (Forbes, ii. 26).

The firſt and genuine commiſſion was drawn up, with ſuch a delicate attention to the rights of royalty; that the rebellion of theſe Scotch ſaints, however ſucceſsful in itſelf, could not afterwards be legally vouched, as any ſanction for future rebellions.

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* Hiſt. xvi. 324. † P. 53. ‡ P. 146.
§ Keith, 143 and 144.

bellions. But ſuch an attention would not ſuit the purpoſes of rebellious ambition, in Murray. He therefore had the hardineſs of knavery, to forge a new commiſſion, and to draw it up for a direct and formal treaty with the rebels.

Yet this was only a part of his plan. He had another, and more important, part behind. The conceſſions granted by Francis and Mary under the genuine commiſſion, were not ſufficient in his eyes. He muſt have more. And he forged at once a new commiſſion and new conceſſions [*].

The conceſſions under the *firſt* commiſſion, were nothing more in effect, than a pardon to the rebels for their rebellion. This appears from the 8th article of the real treaty, which refers to " certain ſupplicatory petitions, preſented by the ſaids nobility and people" of Scotland, " to the ſaids King and Queen," Francis and Mary; and which promiſes, " that the ſaids—King and Queen—ſhall fulfil all thoſe things, which by their ſaid commiſſioners, they have granted to the ſaids nobi-

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[*] Something like this foul play, the Engliſh embaſſadour at Paris feared, would be played by the French a very few weeks before this period. " Theyr ys no ſuche treatie," ſaid Throgmorton to the Spaniſh embaſſadours, " betwyxte Fraunce and Scotland: I wyll not denie,—but paraventure the Frenche *wall cauſe ſuche a inſtrument to be made yn forme*, and *ſolemly ſynyd*, either *by L'Aubeſpine*," the ſecretary of ſtate, " or *ſomme other notari*, to *abuſe you withall*; and yet, methynkythe, they ſhuld not uſe ſuche impudencie: you be bothe ſo conſyderate, that you *wyll deſyer to ſe the verie orygi-nall*, and *not beleve a tranſcrypte off the adverſary party*" (Forbes, i. 463).

“ lity and people *.” Theſe “ ſupplicatory peti- “ tions” it plainly implies, to be for pardon only. “ Seeing,” adds the article, “ it hath pleaſed Al- “ mighty God—ſo to incline the minds of the ſaid “ —King and Queen —, that they have largely “ manifeſted their CLEMENCY and BENIGNITY to- “ wards their nobility and people —; and that re- “ ciprocally the ſaids nobility and people have wil- “ lingly, and of their own accord, acknowledged, “ profeſſed, and promiſed all duty and obedience “ to the ſaidis—King and Queen, their ſovereigns; “ for the better preſervation, cheriſhing, and con- “ tinuance whereof, the ſaidis—King and Queen “ have, by their ſaids commiſſioners, *granted their* “ *aſſent* to certain *ſupplicatory* petitions” &c. “ And “ the ſaids—King and Queen being deſirous to “ have their ſaid BENIGNITY towards their ſaid “ ſubjects, attributed to the *good offices* of the ſaid— “ Queen Eliſabeth,—at whoſe INTERCESSION and “ REQUEST the ſaids King and Queen have been “ *more propenſely moved hereunto*; therefore ’tis “ agreed between the foreſaid commiſſioners of “ both parties, that the ſaids—King and Queen “ ſhall fulfil all thoſe things, which, by their ſaids “ commiſſioners, they have granted to the ſaids “ nobility and people of Scotland, at Edinburgh “ the 6th day of July in this preſent year 1560; “ provided the ſaids nobility and people of Scot- “ land *ſhall fulfil and obſerve* all thoſe things, that “ are contained in the ſaids articles and conven- “ tions, to be performed on *their* part †.” All this evidently implies nothing more, than a general pardon of the rebels, as at the interceſſion of Elizabeth, and on the condition of their dutiful behaviour for the future. The very turn and terms of the article, ſhow it deciſively. Buchanan alſo concurs with the article, to ſhow it. One of the conditions of peace, and the only one that he notices concerning the rebels, he ſtates to have been this: " ut " Maria Scotorum Regina, conſentiente Franciſco " marito, lege latâ ſanciret *oblivionem* omnium, " quæ per Scotorum proceres geſta aut attentata " fuerant, a decimo die Martii M.D.LIX. uſque " ad calendas Auguſti M.D.LX. * " And Camden coincides with both, ſtating the only one of the articles that reſpected the rebels, to be this; " Rex et Regina cum nobilibus Scotiæ, ſubditis " ſuis, *reconciliabuntur* †."

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* Keith, 135—136.

† Ibid.

The conceſſions then, made in this treaty to the rebels, were merely conceſſions of pardon. Yet a mere pardon was not ſufficient, for ſuch preſumptuous rebels as theſe. They wanted more. They actually aſked for more *during the treaty*, under *pretence* of ſecuring *this*. The fact appears from a letter of Cecil's, and an intimation of Camden's, united together. " Such is the caſe," ſays Cecil on June 21ſt, 1560, " being betwixt a " prince and ſubjects; as we know not how to " provide for *ſurety* of ſubjects *againſt all adven-* " *tures*, without ſuch diſhonour to the prince, as " neither WILL BE GRANTED, nor can REASONA-

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* Hiſt. xvii. 326.

† P. 54.

"BLY BE DEMANDED, for ſubjects: I aſſure your "Majeſty, theſe caſes be marvellous difficult to "reſolve; and yet conſidering I know the French "malice, and am wholly addicted to your Majeſ"ty's honour and ſurety, I would not YIELD SO "MUCH TO THE FRENCH QUEEN'S HONOUR IN "BEHALF OF HER SUBJECTS, if your coffers were "full to maintain but one year's war *." Camden ſpeaks ſtill more preciſely, and takes in the *whole* time of the negotiations. "Quo tempore," he tells us, "MORAVIUS ea *propoſuit*, quæ *Cecilius* nec "A SUBDITIS PRÆPONENDA nec A PRINCIPIBUS "CONCEDENDA, cenſuit †." And yet theſe are evidently *the very points*, that form the *ſtriking* and *glaring* articles of the forged agreement.

Thus article the 5th, which declares "neither "the King nor the Queen ſhall *order peace or war* "within Scotland, but by the *advice* and *conſent* "of *the three eſtates*, conformable to the *laws*, *or*"*dinances*, and *cuſtoms* of the country, and *as has* "*formerly been done by their predeceſſors the Kings* "*of Scotland* ‡;" and on which ſome wild theories of Scottiſh government have been built by thoſe, who are faſcinated with the very COW-BRAWL of liberty ‖, and who are ready to follow THE PIED PIPER OF HAMELEN to their own deſtruction; is clearly one of thoſe points, that Murray propoſed and that Cecil rejected. It is plainly ſuch, as *ought not to be aſked by ſubjects*; ſuch as *ought not to be*

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* Keith, App. 49. † P. 53. ‡ Keith, 140.

‖ The tune, which has ſuch a faſcinating effect on the Swiſs ſoldiery in foreign parts, is called the *cow-brawl*.

granted by ſovereigns; and ſuch alſo, as, in the opinion of Cecil himſelf at the time, *was ſure not to be granted* by the deputies of Francis and Mary. And it is plainly ſuch again, as from the united teſtimonies of the real treaty, of Camden, of Buchanan, and of Cecil, *was not granted at all.* Nor was it ever afterwards *pretended to be granted*, except at the very moment. No ſuch *prerogative* as this, was ever claimed afterwards by that *mock-majeſty* of the people; with which republican dreamers love to dreſs up the mob, in order to gratify their own imaginations by the viſion; and with which, too, the more active ſons of ambition love equally to garniſh them out, in order to make them mere ſpademen and pioneers to their own operations. The claim and the conceſſion are found only here. And Camden and Cecil unite to ſhow us, how they come to be here. Murray could not *gain* the point by *treaty*. He therefore *ſeized* it by *forgery*. He forged a new agreement, as well as a new commiſſion. He forged the latter, with a view principally to the former. He incorporated the old commiſſion into the new. And he compounded the new agreement with the rebels, into one maſs with the old.

There is alſo another article of the ſame kind, in this ſpurious agreement; which is the 6th, and ſays "*the three eſtates* ſhall *make choice* of *twenty* "*four* able and ſufficient perſons of note out of "this realm, *out of which* the *Queen* ſhall ſelect "*ſeven*, and *the ſtates five*, for to ſerve as *one ordi*"*nary council of ſtate* during her Majeſty's ab-

"ſence."

"ſence *." This alſo is clearly one of the points, which Murray propoſed to Cecil and Cecil refuſed to aſk, as what was *not to be deſired by ſubjects*, and *not to be granted by ſovereigns*. Yet Murray inſerted it in the forgery, when he could not introduce it into the reality. It is indeed a neceſſary part of that grand plan, which is regularly purſued in theſe ſupplemental articles of the treaty; and which is to fix the parliamentary eſtates, in an elevation of authority incompatible with the Queen's ſovereignty. The preceding article takes away from her, the power of making peace or war; without the concurrence of her parliament. This gives her alſo a perpetual council, appointed by the parliament itſelf; ſhe having only the liberty to chuſe ſeven out of twenty-four *nominated by them*, and they being then to chuſe five more *out of their own number*. And both would unite to reduce her, to what the late Sovereign of our own country, with too much reaſon, ſaid his miniſters once wanted to reduce him; into that loweſt pageant of royalty, *a very Doge of Venice*.

But the ſame plan was carried on, with another article. The 8th ſays, that the act of oblivion ſhall extend to "all thoſe, who have any manner "of way contravened the laws of the kingdom; "provided nevertheleſs, that the privilege of this "act be not extended to thoſe, *whom the eſtates* "*ſhall not deem worthy thereof* †." This was certainly another of the points, which Cecil *refuſed to*

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* Keith, 140.

† Ibid. 141.

aſk, which Cecil *was ſure would not be granted*, and which Camden and Cecil intimate *were not granted*. It was the laſt link in the chain of that Poliſh and republican royalty, which Murray wanted to be forming for his own advancement. It was to make the eſtates, not merely co-ordinate, but even ſupreme. It was to wreſt the power of pardoning, out of the hands of the Queen. It was to lodge the power of puniſhing, in the hands of the parliament. And, what is more, that parliament, without which ſhe was not to make either peace or war; which was to nominate her very council for her; and which the rebels had already calculated, no doubt, to render totally ſubſervient to their will, by the violent introduction of mere *freeholders* into it; was now empowered to turn the very act of oblivion itſelf againſt the very Queen herſelf, to make it cover all their own party compleatly, and to keep it from covering any of hers at all *.

Theſe were articles certainly forged by the rebels. They were all forged, too, immediately after the treaty was concluded. This is evident from a couple of cotemporary papers. In ſome inſtructions given by the triumphant heads of the rebellion, to a perſon ſent by them to Francis and Mary, on the termination of the parliament; he is directed to "declair to thair Majeſties, that, according to *ane artikle in the ſaid treatie*, that the

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* Theſe freeholders claimed an equal right to ſit in *council*, as well as in parliament. Such was their audacious folly! See Robertſon, ii. 323—324.

"eſtaitis ſall nominate twenty four gude and notable perſonis of this realme, of the quhilkis thair Majeſties ſuld cheis ſevin, and the ſaidis eſtaittis fyve, quha ſuld mak the ordinar counſell to governe the cauſis of this realme," &c.* And, in a paper reciting the deeds done by this parliament, we are told, that "thair is 24, *conform to the artiklis*, choſin to be ſent to the King and Quenis Majeſties, whairof thai ſuld cheis," &c.; and that, "tweching the law of oblivion, it is ratifiet and approvit," but "every ſhire has given in ſa many namis in ſpecial, as thai think ſould joiſs and haif the privilege of the ſaid law, and the reſt ar to be unworthie thairfor †." Theſe ſhow the forgery to have been made, immediately after the treaty; to have been made, like the famous letters themſelves, for the deception of the parliament; and to have ſucceeded in its work of impoſition upon the parliament, as effectually as the letters themſelves did.

Nor let any of my more candid readers, be frightened from thinking the whole a forgery; becauſe they ſee two of the articles immediately afterwards, thus ſolemnly ſanctioned by the parliament as genuine. I muſt be ingenuous enough to own, that I heſitated myſelf at firſt, on a view of this. I could hardly conceive theſe convicted forgers, to have been *then* capable of mounting up, to ſuch an altitude of impudence as this. But the forgery is too apparent, upon the face of the agreement and commiſſion; for theſe to be carried through as genuine, by mere dint of effrontery. And the carrying of the famous letters, through the parliament of 1567; the fixing a parliamentary ſanction of authority, upon thoſe blaſted forgeries; marks at once the high degree of effrontery and impudence, to which the ſpirits of theſe rebels could riſe, in the proſecution of their rebellious purpoſes.

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* Keith, App. 91.

† Keith, 152.

But this very parliament of 1560, appears to have acted exactly in the manner, in which the parliament of 1567 acted; to have equally ſanctioned the groſſeſt falſhoods for truths; and to have broken down all the lines and fences of common honeſty, in order to purſue their ruffian reformation to its full perfection. In the 13th article of *their own* treaty it is provided, "that if any biſhops, "abbots, or other eccleſiaſtical perſons, ſhall make "complaint that they have received any harm, "either in their perſons or goods; theſe com-"plaints ſhall be taken into conſideration by the "eſtates in parliament, and ſuch reparation ſhall "be appointed, as to the ſaids eſtates ſhall appear "reaſonable *." Yet how was this plain article, the neceſſary part ſurely of a general reconciliation, anſwered by the parliament? It was anſwered thus, as we luckily happen to know from an accidental letter of the time. The biſhops, abbots, and "utheris of the clargé," put in their complaints accordingly. But they "could get na anſwer" to them. "I gaif in ſindrie billis," ſays an agent for the archbiſhop of St. Andrew's, "to the lordis "of the parliament, be avyſe of Maiſter Johne "Spens, deſirand an anſwer; I could never gett "the anſwer of *ane* of thame *." Yet on the laſt day of ſitting, and juſt before the parliament broke up for the ſeſſion, theſe perfidious men played off a moſt hypocritical mockery of juſtice, upon them. They inſiſted upon the biſhops and abbots in parliament, doing immediately what they knew they would not do, ſubſcribing to their preſbyterian confeſſion of faith. They thus drove them by their violence, out of the parliament-houſe. They then brought forward thoſe very complaints, which they would never ſuffer to be diſcuſſed before. They called in form twice upon the biſhops, &c., to ſtand forth and ſupport their complaints; at the very time, when they knew them all to be abſent. And, on their not doing what it was abſolutely impoſſible for them to do, they inſtantly voted; that the biſhops, &c. had no complaints to make, and that they had owned as much by their ſilence. Juſt ſo in a Poliſh diet, when only one man diſſents, the reſt have been ſaid to draw their ſabres, to cut him barbarouſly in pieces, and then to cry out in a ſavage triumph, "Non loquitur." But let not the fate of even ſuch wretches in infamy, be ſuſpended upon my word. Let it be ſhown by two authentick papers. "The laſt day of the parliament," ſays one of them, "at fyve houris at *evin*, the lordis of "the articlis callit for the biſchopis to reſſon thair

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* Keith, 142.

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* Keith, 488—489.

"billis; and *thai wer all departit*, be reaſon that "*thai would nocht ſubſcrive* with the lordis of the "articlis: and *thairfoir* thai wer callit, BECAUSE "OF THAIR DEPARTMENT *." Such low-ſouled ſons of fraudulence, were theſe chiefs of rebellion! And then the parliament entered this reſolution upon their books: "yat *becaus na man comperit* of "the kirkmen, that gaif in thair billis of com-"plaint, nor *nain for tham*, to declare in ſpecial "quhairin thay wer hurt, *eftir thai war twyſe callit* "*upon*; the lordis and nobilitie *had don thair* "*dutie*, conform to the articles of peac †." Such heroes in bravery and audaciouſneſs, were theſe princes of reformation ‡!

But let me proceed at once to an act of theirs, which is ſo much ſuperiour to all their other enormities, as to hide and cover them under its broad glare of iniquity. In *their own* treaty again, and in the 17th article, it is declared, that "whereas, "on the part of the nobles and people of Scot-"land, there have been preſented certain articles "concerning RELIGION and CERTAIN OTHER "POINTS, in which the lords deputies would by no "means meddle, as being of ſuch importance, that "they judged them proper TO BE REMITTED TO "THE KING AND QUEEN; therefore the ſaids no-

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* Keith, 488—489. † Ibid. 151. ‡ Yet this deed of knavery is totally omitted by Dr. Robertſon, i. 238—243; is even turned into a direct act of honeſty, in a ſuppreſſion of all the offenſive circumſtances, by Mr. Guthry, Scotch Hiſt. vi. 139; and is prudently omitted again by Dr. Stuart, Hiſt. of Reformation, 188—194.

"bles of Scotland have ENGAGED, that, in the "enſuing convention of eſtates, SOME PERSONS OF "QUALITY SHALL BE CHOSEN, for TO REPAIR TO "THEIR MAJESTIES, and REMONSTRATE TO THEM "the ſtate of their affairs, particularly THOSE LAST "MENTIONED—, and TO UNDERSTAND THEIR IN"TENTION AND PLEASURE, concerning *what re"monſtrances ſhall be made to them*, on the part of "the kingdom of Scotland *." The rebels were thus tied up in the fulleſt and moſt forcible manner, from even *attempting* any *the ſlighteſt innovations*, upon the national ſyſtem of religion. All was to be remitted to the King and Queen. Nor were they even to make any remonſtrances to them upon the ſubject, *before* they had made a deputation of nobles to them, to explain the condition of the kingdom, and then to know what kind of remonſtrances they would ſuffer to be made upon the ſubject. And yet, yet, no honour could bind, and no engagement could fetter, theſe Turks and Tartars of proteſtantiſm. They broke through all engagements. They trampled upon all honour. They ſet all Chriſtendom and Heaven at defiance. And they eſtabliſhed the reformation in Scotland, with ſuch a profligate contempt of God and man; as muſt make the cheek of an *honeſt* Proteſtant to burn with ſhame, and the heart of a *real* Chriſtian to tremble with abhorrence. They appointed no deputies. They made no remonſtrances. But they fell to their wild work of reformation, at once.

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* Keith, 142—143.

They even altered, as far as *they* could alter, *the whole form and œconomy* of religion in the kingdom. And they then had the ſuperadded impudence, to requeſt the Queen's ratification of their villanies*.

This moſt impudent requeſt we know to have been rejected with diſdain. But what particular reaſons were aſſigned for their rejection, has never yet been aſcertained. They are intimated to us, however, in a paſſage of Camden's Annals; diſtorted indeed, by ſome wilful miſ-information, I fear, in thoſe papers of Cecil's from which he wrote, and diſguiſed by the conſequent confuſedneſs of his own ideas concerning all. "Why they," Francis and Mary, "refuſed to confirm it," the treaty of Edinborough, he ſays; "they alledged "theſe cauſes." The firſt is this: "for that the "Scots had entred into *the confederacy of Berwick* "with the Engliſh, not by the royal authority, but "by their own; which they ought not to have "done." This was plainly a reaſon, as here ſtated, which could not have been offered by idiotcy itſelf. The confederacy of Berwick was formed, months before the treaty of Edinborough. It certainly was an act of high rebellion, in itſelf. But it could not ſuperſede the treaty of Edinborough made afterwards, becauſe this treaty did not mention it at all; the Engliſh, who would have gladly had it ſanctioned by the treaty, being always refuſed by the French; and even the forged articles not pretending to ſanction, or even to notice, it. And the reaſon aſſigned by Francis and Mary *in reality*, was this, no doubt; "for that the Scots had "*added a new treaty to that* with the Engliſh, not "*made* by the royal authority, but by their own; "which they ought not to have done." The ſecond reaſon is this: "for that it was entred into by "rebels, and ſigned with the counterfeit ſeals and "ſubſcriptions of their faithfull ſubjects." This reaſon carries a ſtill ſtronger ray of intelligence with it, than the other. The confederacy of Berwick was ſigned only by Murray (then Lord James Stuart), Lord Ruthven, John Maxwell (afterwards Lord Herris), Maitland, Wyſhart of Petarro, and Balnavys; all well-known rebels at the time, and all (except Herris) continuing rebels to the very laſt. There were no "ſeals and ſubſcriptions of "their faithfull ſubjects," to *this*. There could not poſſibly, therefore, be any "counterfeiting" of them for *this*. But there could be, and there was, for the *other*. The treaty of Edinborough, in the Scotch and forged half of it, was actually "ſigned "with the counterfeit ſeals and ſubſcriptions of "their faithful ſubjects," Randan and Monluc. And the ſecond objection to ſigning the Scotch part of the treaty of Edinborough, was this, no doubt, originally: “ for that it was *counterfeited by the* rebels, and SIGNED WITH THE COUNTERFEIT SEALS AND SUBSCRIPTIONS of their faithful ſubjects *and embaſſadours*.” The third objection advanced, carries a ſtill ſtronger ray of intelligence than either, and is this: “ for that they had not performed the obedience promiſed in the ſaid confederacy.” But no obedience at all was promiſed in the *confederacy*. None *could* be. It was ſolely a league of iniquity, between Elizabeth and the Scotch rebels. In ſuch a league, what *promiſe* could there poſſibly be, of obedience to Francis and Mary? None certainly. Yet there was actually ſuch a promiſe in the *treaty*. It was even made in the Engliſh part of the treaty, the very *condition* on which the conceſſions to the Scotch rebels were granted. And Francis and Mary, therefore, might with every propriety refuſe to ratify, even the genuine part of the Scotch articles, and even the Engliſh half of the whole treaty; becauſe thoſe articles were granted expreſsly in that half, on the condition of dutiful allegiance for the future; and becauſe the rebels had in their packed parliament, in their forgery ſanctioned by it, and in their ordinances formed in it, been adding inſult to impudence, been breaking through all the ties of allegiance and all the reſtraints of conſcience, been annihilating the authority of the crown, and laying it under the feet of their fanatical mob *.

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* Yet to the aſtoniſhment of myſelf, and (I hope) of my readers too, I find that this infamous violation of all principle, is moſt jeſuitically ſlubbered over by Dr. Robertſon, i. 242—243, by Mr. Guthry, vi. 136—142, and by Dr. Stuart, 189—195. Proteſtants, it ſeems, may break through all reſtraints of honour, when they are ſecuring liberty and reformation. Papiſts challenge equally a diſpenſation from the ſhackles of morality, when they are ſecuring religion and the church. And ſo knavery, proteſtant or popiſh, is licenſed to walk the round of Chriſtendom.

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* Camden, Orig. i. 60, Tranſ. 48; Keith, 119, 117, 315, &c.; and Haynes, 336—340.

All unites to prove the flagitious readineſs of this parliament, for committing any crime and for ſanctioning any forgery, that Hell could prompt and Earth could execute. In this readineſs they received the forged articles from Murray, and ſtamped them with the impreſs of their own authority for genuine. Murray, Ruthven, and Lethington, the three witneſſes to the authenticity of them and of the commiſſion, were in all probability the very fabricators of both. Murray, undoubtedly, was concerned in the work. His original offer of ſuch articles for inſertion in the treaty, ſhows this ſufficiently. And all was done directly after the treaty, to meet the coming parliament. The " articles and conventions," which the French commiſſioners ſigned to the *rebels*, were merely in the keeping probably of the very rebels themſelves. They were to be ratified by the parliament, and then remitted to the King and Queen for their ratification *. For this reaſon, no copy of them has ever been found among the papers, of either the French or the Engliſh commiſſioners. And the only copy that we have at preſent, is derived entirely from the rebels. In ſuch a caſe, Murray, and his co-ordinates in knavery, had nothing more to do; than to draw up a new ſet of articles in the room of the old, to introduce ſuch into this as they thought *ſhould have been* in that, and to preſent the forged for the genuine paper to the publick. They did ſo, to the parliament. They did ſo, to Cecil. They produced, no doubt, their ſpurious treaty in *their own* original of it, to the parliament; though they preſented only a copy of it, to Cecil. They afterwards withdrew, probably, their pretended original from the records of parliament; juſt as they withdrew their pretended letters, from the Engliſh commiſſioners at Weſtminſter; leſt it ſhould be ſeen, examined, and detected. They had reported the pretended ſignatures of Francis, Mary, and de l'Aubeſpine, and even the pretended ſeals of Francis and Mary, to this commiſſion; exactly, no doubt, as they had ſeen them affixed to the other. They had actually forged the ſignatures of Monluc and Randan, to the agreement. They were therefore as liable to be detected, in theſe forgeries of atteſtation; as they were in their forgery of Mary's hand-writing, upon the letters. And, to prevent a detection, they withdrew equally the letters, the recited commiſſion, and the agreement, from inſpection. They had carried their grand point, by the production of the agreement and the commiſſion; as they again carried it afterwards, by the production of the letters. They were then apprehenſive for all. They therefore ſuppreſſed all. The original forgery of 1560 has been ever ſince as inviſible, as the original forgery of 1567. And, had it not been for the copy of both in Cecil's poſſeſſion, we ſhould have known only of both in general, and not have been able to expoſe the forgery of either, at this moment.

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* Keith, 143.

By the light of this, however, we have ſeen the agreement and the commiſſion to be an evident forgery. The commiſſion we have ſeen to be forged, by its being different from the real commiſſion, by its not noticing the real one, by its not pretending to contradict it, and by its arrogating to itſelf all the power and authority of it. There cannot be two ſuns in one hemiſphere. One of them muſt neceſſarily be a mock-ſun. And, the moment we acknowledge the reality, we muſt conſider the other as merely a mockery. But the other proves itſelf the more to be a mock-ſun, by preſuming to ſet itſelf off for the real one. It pretends to have all the light and heat of the real one, in itſelf. It thus betrays the weakneſs of its own luſtre the more, by the haughtineſs of its pretenſions. And the ſpurious commiſſion deſtroys its own authority at once, by preſuming to thruſt itſelf forward for the genuine one.

That Murray and his accomplices ſhould have been guilty of ſuch an extravagance as this, may ſeem very amazing. But we have ſeen them guilty of ſtill greater, in the letters, ſonnets, and contracts before. They were even guilty of ſtill greater, in this very forgery. They drew up the commiſſion, as to the rebels, in theſe terms: “ to give aſſurance “ to our ſubjects of the kingdom of Scotland, that “ notwithſtanding they have of late committed ſo “ grievous a crime, as to forget their duty towards “ us; if nevertheles they ſhall repent, and return “ to that obedience which they owe to us, we “ are willing to receive them into favour, and to “ forget all that is paſt *.” This is the whole of

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* Keith, 144.

the commiſſion, which relates to the rebels. The reſt either refers to Elizabeth; or includes thoſe general powers, which are neceſſary to every commiſſion, but which, however large and ample, are of courſe, as common-ſenſe tells us, to be circumſcribed and limited in their application, by the objects particularly ſpecified *. Yet the very articles of agreement under this commiſſion, go a thouſand degrees beyond all this. They not merely pardon rebels. They do infinitely more. They unhinge the whole conſtitution. They elevate the eſtates into judges co-equal with the Queen, reſpecting peace or war. They authorize them, to nominate her very council for her. They even take away her right of pardoning, and her power of puniſhing, for all the late train of offences; and transfer it all to the eſtates. And therefore, upon the very terms of their own commiſſion, theſe very conceſſions of their own granting are abſolutely void and null. So negligent were theſe forgers in fabricating their forgery, as to make their own ar-

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* This is ſaid, with a view peculiarly to Mr. Guthry; who in vi. 131—134 is weak enough, to ſhelter all the exceſſes in the forged agreement, under the general powers of the pretended commiſſion. The forgers perhaps were weak enough, to intend the ſame; and therefore made their general powers *ſo* ample. But if theſe are not conſidered, as all general powers with ſpecifick objects muſt be; they will only ſerve, as another proof of the forgery. No ſovereigns in their ſenſes would permit their deputies with inſtructions, to wander *ad libitum* from the ſpecified objects of their inſtructions, under pretence of their general powers; as then all ſpecification would be ſuperfluous and impertinent.

ticles claſh violently with their own commiſſion; even that very commiſſion, from which the articles were to derive all their authority!

Yet what was all this contradiction or all that extravagance, to the grand anachroniſm in the date of the commiſſion; an anachroniſm, into which no perſon in a clerk's office at court, no perſon in the official and mechanical habits of buſineſs, could poſſibly have fallen; and none but an interloper, haſty and negligent, could ever have fallen at all? To miſtake the EIGHTEENTH year of Mary's reign, for the SIXTEENTH; to date a commiſſion of 1560 in the SIXTEENTH, when ſhe was actually in her EIGHTEENTH, and when *all the other records of her reign are dated accordingly*; is ſuch a monſtrous and over-grown abſurdity, as crowns all the reſt.

II.

But I can corroborate this capital diſcovery, by another of the ſame nature.

The commiſſion is alſo dated the SECOND day of JUNE, in the year 1560. On the SECOND of JUNE, therefore, does it order Monluc, Pellue, De la Broſſe, D'Oyſel, and Randan, "to tranſport "themſelves to the frontier of our ſaid kingdom "of Scotland, and to meet and aſſemble with the "deputies of the Queen of England *." But Pellue, De la Broſſe, and D'Oyſel, had now been long with the French forces in the town of Leith.

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* Keith, 143.

Leith *. Monluc alſo entered the Engliſh camp at Leith, upon the *twenty-firſt* of *April* before; reached Berwick in his return, upon the *thirtieth*; arrived at London on the *eleventh* of *May*; and there waited a while, in order to return back into Scotland again †. And Randan, the only one of the five, who was now remaining in France; who received the real commiſſion in France, at or after the *ſecond* of *May*; and who is aſſerted by this pretended commiſſion, to have received *it* in France, at or after the SECOND of JUNE; actually appears in perſon *within the kingdom of England*, at *the very time*. This is a wonderful addition of evidence, to the blunder concerning the year. Yet it is a very clear one.

Only *five* days after the date of the commiſſion, and on the *ſeventh* of June, Randan appears in the *north* of *England*, and at *Newcaſtle upon Tyne* there. He had come to London, had met Monluc there, had with him waited on Elizabeth, had ſhewn their *ſecond* as well as firſt commiſſion to her, had fixed with Cecil the day of his and their ſetting out for Newcaſtle, had ſet out accordingly, and had reached it. The Queen Dowager of Scotland, ſays the Duke of Norfolk in a letter from Berwick on the *fourth* of June, is now encouraging the ſubjects of Mary with the intelligence; that *Randan is coming to Scotland,* and that Monluc, who was biſhop of Valence, is returning with him. She is ſhowing them, he ſays, "the newes of *Randan,* and "of *the biſhop's retorne again**." Monluc had returned to Newcaſtle, Randan had come with him, they had entered into treaty with Cecil there, and had already held one formal meeting of buſineſs, with him; when Cecil wrote an account of it to Elizabeth. Yet Cecil wrote on the *eighth.* We know this, from an anſwer to his letter. We know it alſo, from the letter itſelf. The anſwer is made by the privy council, and dated "from Greenwich "the *twelfth* of June 1560." We, they ſay, "have received your letters of the *eighth* of this "month, and do thereby perceive, what you have "done with *the French commiſſioners,* upon your "*firſt meeting with them* †." "We have ſpent," ſays Cecil himſelf in that very letter, to which this is an anſwer, "*all this afternoone* in talk with *theis* "*French men,* and have entered into many matters; "but *Randan* affirmeth preciſely, that he may not "treate of any matter of Scotland, without ſpeche "with the Queen Dowager; much hath bene ſayd "this daye, on both parts:—from *Newcaſtle* the "*eighth* of June in the night, 1560 ‡". Cecil therefore reached Newcaſtle, on Friday the *ſeventh* of June; as, in two of his letters before, he expreſsly declares his intention to reach it §. Randan

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* Buchanan, Hiſt. xvi. 324, for D'Oyſel; and 325, for De la Broſſe, and Pellue the Biſhop of Amiens; and Haynes, 325, for "there collegues in the towne."

† Buchanan, Hiſt. xvi. 323; Haynes, 267, 274, 279, 295, and 302, and Forbes, i. 481. Monluc, ſays Camden, was "a man not averſe from the proteſtant profeſſion," Orig. i. 50, Tranſ. 39. Monluc, ſays Throgmorton more boldly but leſs credibly, "is a proteſtant" (Forbes, i. 224).

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* Haynes, 322. † Keith, App. 48. ‡ Haynes, 324.
§ Ibid. 323.

dan alſo reached Newcaſtle, on or before Friday the *ſeventh* of June; and ſpent all the afternoon of Saturday, in negotiating with Cecil there. This he *could* do, by the *genuine* commiſſion. It was dated *May* the ſecond. Betwixt *May* the *ſecond* and *June* the *ſeventh*, he *could* "tranſport himſelf" out of France to Newcaſtle. But, betwixt *June* the *ſecond* and *June* the *ſeventh*, he *could not poſſibly do ſo*. And we ſee another proof of the forgery, in another falſhood of the date.

But we may proſecute this argument of detection, ſtill further. We have other letters of Cecil's, which carry it on (if poſſible) to a ſtill fuller point of perfection. "The French," ſays Cecil in one of them, "lye *this* night at *Durham*, and we at "*Borrohbrigg*; we will be at Newcaſtle, with God's "leave, on Frydaye:—we are marvelloſly troo-"bled, for that we now underſtand, that the *traine* "of *Monſieur de Randan* be allmoſt all captaynes "and ingynors, which meane to be occupyed both "at Berwyk and in Scotland, to enter, if they "can, into Lethe: if *their ſalve conduct* ſerved not, "they ſhuld not depart from *Newcaſtle*:—and ſo "I end full wery; *fifth* Junii, 1560 *." Randan therefore had received a ſafe conduct from Elizabeth, for himſelf and his retinue; had ſet out from London, under the protection of it, *before* Cecil; was now going his appointed ſtages towards Newcaſtle, equally with Cecil, but one full day's journey *a-head* of him; and on the *fifth* of June, only *three* days after he was, by his forged commiſſion, at

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* Haynes, 323.

Remorentin in France, was actually to lie at *Durham* in the north of England.

Indeed Cecil himſelf, who was thus *fifty* miles *behind* Randan on the *fifth*, was on the SECOND, the very day of the date of the commiſſion, at Burleigh-houſe near Stamford in Lincolnſhire, on his way to Newcaſtle. "I am come to my howſe " here at Burley," he ſays, "rubbyng on betwixt " helth and ſicknes; and yet my hart ſerveth me " to get the maſtery:—we truſt to be at Newcaſtle, by the 6th or 7th: this *ſecond* of June,— " 1560 *." Cecil alſo appears from another letter, to be at *Royſton* in his way to Newcaſtle, about *noon* of the *laſt* of *May*; and conſequently to have ſet out from *London*, in the *morning* of *May* the *thirty-firſt*. "At two of the clock in the afternoone " this laſt of May," he tells us, "I am in Royſton, " in no apparant dout of helth; and yet, by the " fowlnes of the wether, afrayed to ryde to Huntyngton untill to morrow †." He had originally intended to ſet out, in company with the French commiſſioners, on May the 29th. "Mr. Secretary Cecil, and Mr. Wotton," ſays Mr. Killigrew in a letter from Greenwich on the 28th of May, " depart northwardes *tomorrow*, with *the French* " *commiſſioners*, for the better ending of theſe trobles in Scotland ‡." But the plan was afterwards altered. The French commiſſioners ſet off firſt, and Cecil followed them at ſome diſtance behind. And, as Cecil ſet out for Newcaſtle, on

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* Haynes, 320. † Ibid. 319. ‡ Forbes, i. 501.

May the *thirty-firſt*; as he reached Royſton *that day*; lay at Burleigh-houſe, on the *ſecond* of June afterwards; reached Borough-bridge on the *fifth*; and came to Newcaſtle on the *ſeventh*: ſo Randan, who was 50 miles a-head of him on the fifth, who was to lie at Durham the night he lay at Borough-bridge, and who, he *knew*, was to lie there that night; muſt have ſet out from London *one* day *before* him, and have begun his journey for Newcaſtle on the *thirtieth* of May; juſt *four* days *before* the very date of his ſecond commiſſion, and when, by that date, he is repreſented to be ſtill in France, ſtill without a commiſſion, and ſtill unempowered to croſs over into England.

He even *came* to the court at London, as Cecil informs us, *ſome days before*. He came ſo early, as the *twenty-firſt* of May. “Monſieur de Ran-“dan,” ſays Cecil in a letter of the 22d, “hath “taken good leaſure, and came *yeſterday* hither to “the court *.” “M. de Randan,” Cecil in his diary adds, “came to *join* with De Valence *to go* “*into Scotland*; and *brought a commiſſion* for them-“ſelves, and biſhop of Amiens, and D'Oyzel †.” But we can trace his motions backward, to a ſtill higher date. On the *tenth* of May, as Cecil informs our embaſſadours in Spain, “*now* we under-“ſtand *newly*, that one Monſieur de *Randan*—is “*come to the ſeaſyde*, with *a new commiſſion* to go “*into Scotland*.” And he actually appears from

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* Forbes, i. 460. † Murdin, 750, with a falſe date to it. There are two others in 751, May 30 for 31ſt, and June 10 for 7th.

Throgmorton's letters to Cecil, to have ſet out on the *fourth* of May for England; *two* days *after* the *real* commiſſion, and no leſs than *twenty-nine* days *before* the *ſpurious* one *.

We have thus ſuch a monſtrous and over-grown abſurdity again, as unites with the precedent one concerning the year, to crown all the reſt compleatly. Both indeed unite to form ſuch a damning proof of forgery, in the commiſſion itſelf, and in thoſe articles which are written on the ſame paper with, and are cloſed upon the paper by, this very commiſſion; as muſt now ſtrike upon every eye, come level to every judgment, and go forcibly to every heart. And theſe "princes of the "congregation," theſe "men of renown" in the annals of Scotch proteſtantiſm, appear from the whole, to have been capable of any enormity, in violence or in fraud; but to have been reined-in by that UNSEEN HAND, which reins-in equally the congenial ſpirits of the abyſs; to have been allowed only ſuch a length of malignant cunning, as ſhould permit them to execute their villanies at the moment, and to colour them over to all, who were either willing, unſuſpicious, or indolent enough to be deceived by them; and yet to have fallen into ſuch blunders and abſurdities in the operation, as, on a ſtrict ſcrutiny, would clearly lay open their villanies to the publick eye †.

III. So

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* Forbes, i. 448—449, 433 and 447.

† I was once in hopes of drawing an additional proof of forgery, though it would have been all ſuperfluous, from the *local* date, *Remorentin*. With this view I traced carefully the ſteps

III.

So fabricated, Murray, Ruthven, and Lethington united, to furniſh Cecil with a copy of it. They thus ſent a pretended commiſſion, and a forged agreement, to him; for the true. The commiſſion he muſt have ſeen at a glance, to be all a fiction; as he muſt have known the true to be very different. The agreement he muſt equally have ſeen, to be a fiction too; as he muſt have obſerved it to comprize articles, which he knew he himſelf had refuſed to aſk, which he knew he himſelf had declared would never be granted, and which he alſo knew had never been granted at all. Yet he took it and the commiſſion, from them. He laid up the paper containing both, in his grand repoſitory of papers. He fixed no brand of infamy, upon it. He even fixed on it a ſtamp of authenticity. He put this Engliſh title to it, though it had already a title in French; "Accord betwixt the French Kyng and Queen of

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ſteps of the French court, in the letters of Throgmorton, &c. publiſhed by Forbes. But unluckily Throgmorton's letters, &c. end in the 1ſt volume of Forbes, upon May the 29th 1560; juſt *four* days *before* the date of the pretended commiſſion. And the 2d volume leaps away at once, to July 1562. Where the intermediate letters are, does not appear. Perhaps they are lodged in thoſe un-publiſhed parts of Forbes's collection, which were a few years ago in the poſſeſſion of Lord Hardwick; which are ſo ſtill, I preſume; and which it would be a great kindneſs to the lovers of hiſtorical truth, in his Lordſhip to publiſh.

"Scots, and the nobilite of Scotland, 3. die Julii "1560." He alſo put this label at the back of it, "3. Julii 1560, articles of accord inter Regem "et Reginam Francie et Scotie ac nob. et popu"lum Scotiæ *." And he thus made himſelf a party, in all this infamous impoſition. Nor need we *now* to wonder, at the hardineſs of iniquity in all. They were all confederated together in daring ſin. We have ſeen Murray and Lethington before, Ruthven being then dead, producing the famous letters at York in *Scotch*, re-producing them a few weeks afterwards at Weſtminſter in *French*, and Cecil ſupporting them as genuine in *both*. And Cecil, no doubt, knew the agreement, the commiſſion, and the letters, to be all equally ſpurious; and yet, for the ſafety of proteſtantiſm forſooth! and for the ſecurity of England belike! pretended to believe them all genuine.

But he did more than this. His copy is written wholly in French upon *one* paper. Only it has theſe words in our own language, at the cloſe. "This is the trew copy of the originall, conferred "and collationed. James Stewart. Ruthven. W. "Maitland." Theſe "three ſignatures," ſays Keith, "are in the proper handwriting of the ſub"ſcribers †." But Anderſon ſpeaks of the whole thus. "I alſo found in the Cotton library," he ſays, "an authentick copy of the *accord* betwixt

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* Keith, 137 and 144. The real date, however, is the *ſixth* of July. But he dated it the *third* here, as he does in Haynes, 389, from ſome agreement made for it upon that day (ſee 355).

† Keith, 144.

" Francis and Mary, and the nobility of Scotland, " in July 1560; and of the *powers* given by that " King and Queen, to Monluc—and—Randan—: " both theſe papers, being in the original French " as ſigned by Monluc and Randan, are ATTESTED " under the hands of Lord James Stewart,—and " of the Lord Ruthven, and Secretary Maitland; " which paper [containing both] is *marked by Secretary Cecil*, and THE ATTESTATION, ſigned by " the foreſaid three perſons, SEEMS TO BE WRITTEN " IN CECIL'S OWN HAND *." If Anderſon here meant what his words ſeem at firſt to import, that the very ſignatures are made, he apprehends, by the hand of Cecil; he then contradicts Keith directly. And as he actually ſaw the paper himſelf, and as the other knew it only from his anonymous tranſcriber in London †; the teſtimony of Anderſon muſt preponderate greatly in the ſcale. But, on an examination of the words, Anderſon appears to mean only, that the *atteſting words*, prefixed to the ſignatures, " ſeem to be written in Cecil's own " hand." He and Keith are thus reconciled. The *ſignatures* are " in the proper handwriting of the " ſubſcribers." The whole is " *atteſted* under the " *hands*" of Murray, Ruthven, and Lethington. But the *atteſtation* itſelf ſeems to be in Cecil's writing. And the fact coincides with this; the clauſe of atteſtation appearing, on examining it, to be in the ſame hand-writing with the indorſement, and conſequently Cecil's; the atteſting ſignatures

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* General preface, xxxiii—xxxiv.

† Keith, preface vi.

natures appearing equally, upon examination, *not* to be in the hand-writing of Cecil at all, and even to be, as Keith has already aſſured us, "in the "proper handwriting of the ſubſcribers" themſelves *.

In this ſtate of the copy then, it appears to have been preſented to Cecil, *without any authentication at all.* It was preſented too, *after* the parliament of 1560 had ratified the ſpurious original. This is apparent from a ſentence, at the cloſe of the copy, and immediately before the atteſtation. It runs thus in the French, and thus in a tranſlation. After the copy of the commiſſion in French is given, ſtrangely follows in French too this deſcription of the ſignatures: "Signe Francoys Ma-"rie et ſur le Replis Par le Roy et royne de lau-"beſpine Seelle ſur double queue de cyre Jaulne

"Ainſi ſigne
"Monluc E De Valence Randan."

Then comes ſtill more ſtrangely a preamble of ſubſcription for Scotch peers, all in French likewiſe: "Et nous ſubſcriptz tant pour nous que "pour la reſte de la nobleſſe deſcoſſe promettons "et nous obligerons a ce que deſſus." "Signed "Francis Mary and upon the Fold By the King

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* From an inſpection made of the paper, and a copy ſent me of this part of it, by a gentleman of Gray's Inn, who was engaged for me by my old acquaintance, the friendly and learned Thomas Aſtle, Eſq; of the State-paper office, &c. London.

" and queen de laubeſpine Sealed on a double
" *queue* of yellow wax.

" Thus ſigned
" Monluc E De Valence Randan

" And we underwritten as well for ourſelves as for
" the reſt of the nobility of Scotland promiſe and
" ſhall oblige ourſelves to what is above *."

The laſt clauſe was evidently meant, for a copy of the ratification made by the parliament of Scotland, in the ſubſcriptions of its members to it. This therefore dates the copy, poſteriourly to that act. And the copy was preſented, with the words of ratification in the promiſe of ſubſcriptions, and yet, moſt unnaturally, with a total omiſſion of all the ſubſcriptions themſelves. It alſo pretended to be a true copy, of the original ſo ratified. Yet it had no atteſtation of its truth. It thus came forward, with all the ſuſpectable appearance of knavery. It had the ſly and ſidelong look of a conſcious villain, in its eye.

Cecil ſaw this, and endeavoured to correct the obliquity of its aſpect. He did not procure the omitted liſt of ſubſcribing nobles, to be added. But he procured the ſignatures of Lethington, Ruthven, and Murray, to a form of atteſtation which he wrote himſelf, and to which are affixed their names. And the very *quality* of the *language* uſed in the atteſting clauſe, " this is the trew copy " of the originall, conferred and collationed;" a clauſe certainly not Scotch, and as certainly Engliſh; coincides directly with Anderſon, and my own remark concerning the hand-writing, and confirms it deciſively *.

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* Keith, 144, is not ſtrictly accurate here.

But *when* did Cecil draw up this atteſting clauſe, and *when* did the atteſters ſign it, *after* the ratification of the original in parliament? This very parliament ordered thanks to be returned to Elizabeth, for her friendly aſſiſtance lent to them in their rebellion; and a formal propoſal to be made her, of a marriage with the weak and fanatick ſon to that next heir of the crown, the Duke of Chattelleraut; thus adding preſumption to preſumption, and finally taking a ſtep that muſt naturally have led, if it had been purſued, to the reſignation of the crown of Scotland into the hands of Elizabeth. With theſe thanks and with this propoſal were ſent, in the end of September, Morton, Glencairn, and *William Maitland commonly called Lethington* †. They came to London. The latter brought, no doubt, the copy of the forged treaty with him. And the copy is apparently written with his hand ‡.

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* The *words* too are ſeemingly Cecil's. So in the journal of the Engliſh commiſſioners, where the words in general were dictated probably by Cecil, and where they have been actually "altered and interlined" by Cecil; we read of "the copies "being *collationed*" (Goodall, ii. 235). And ſo likewiſe, in the books of the privy council, and in an entry that has again been "altered and interlined" by Cecil, the letters are ſaid to have been "*conferred* and compared,—in *collation* whereof no "difference was found" (Goodall, ii. 256).

† Knox, 257, and Keith, 154—157; Haynes, 363—364.

‡ From the inſpection of the gentleman of Gray's Inn.

Then Cecil affixed his clauſe of authentication. Lethington ſubſcribed it immediately. The other two ſubſcribed it afterwards. And as Lethington, in this courſe of atteſting, would naturally leave a ſpace for the atteſtations of Murray and Ruthven before his; and as his and theirs would as naturally not be exactly regular and correſpondent in their poſitions; ſo his appears actually *below* and *upon one ſide* of theirs. The atteſtation and ſignatures are in this form:

> "This is The Trew Copy of y^{e}
> "originall cõferred and collationed
> "James Stewart
> "Ruthven
> "W Maitland *."

But by this or by any mode of procuring the ſignatures, which Cecil could poſſibly practiſe; he ſhows us ſtrongly his zeal, for the cauſe of rebellion in Scotland. He appears more zealous for it, than even the rebels themſelves. They had declined to ſanction their own forgery, by their own atteſtations. He knew it to be a forgery, as well as they. Yet he would not allow them, to ſhrink an inch from their own fabrication of iniquity. They muſt ſtand to their deeds with reſolution, even when the impelling reaſon for the deeds, was no longer operating upon them. And he thus left the whole very ſtrangely, without any ſupplied liſt of ſubſcribers to the ratification; and without any ſpecified date of day, month, or year, to the note of authentication. He was at all this trouble, in order to corroborate what he knew to be a forgery, and to obtrude it upon the credulous for a genuine paper. He therefore ſuperadded his own atteſtation to all, in his title and in his label to the whole. And he finally raiſed the ſerpent, that was only crawling upon the ground before him, under the ſenſe of its juſt humiliation; furniſhed it with wings, for flight; and gave it a larger range of miſchief, for a ſeaſon *.

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* From the ſame inſpection. Murray, who ſigns here as *James Stewart*, was made Earl of Mar in February 1561-2 (Keith, 215). Yet he ſtill continued to ſign as *James Stewart*, many years afterwards (Keith, 300).

IV.

Nor are we yet arrived at the full extent, of Cecil's concern in this vile forgery. He was a party in the villany, from the very beginning.

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* See the hiſtorical miſchief, that has been done by this forgery, in Spotſwood, 148, who is the firſt that adopted it for genuine; in Dr. Robertſon, i. 234—235; in Mr. Guthry, vi. 122—134; and in Dr. Stewart, 179—186. Theſe authors overlook all the internal marks of forgery, upon the agreement and the commiſſion; and even the very anachroniſms themſelves, in the dates of the latter. This is done by the firſt, in the unſuſpecting credulity of his nature. And it is done by the others, who were much ſuperiour to him in ſagacity to ſee, and in ſpirit to ſeize, any notes of ſpuriouſneſs; from that blinding heat for liberty, which burns and blazes ſo extravagantly in our modern hiſtories, and, wherever liberty is even diſtantly concerned, precludes all exerciſe of ſagacity, and ſmothers all exertion of ſpirit, in their writers.

And, as at the very beginning he impoſed upon Elizabeth by it, ſo he wanted only to proſecute the impoſition upon her, by this acceſſory villany at the end.

When he wrote that remarkable letter of June the 21ſt, upon which I have dwelt ſo particularly before; he had found it impoſſible, to inſert the articles that Murray ſuggeſted, in the Scotch part of the treaty. Theſe, he had then found, would be "ſuch diſhonour to the Prince, as NEITHER "WILL BE GRANTED, NOR CAN REASONABLY BE "DEMANDED, for ſubjects." He found himſelf compelled therefore, to "yield ſo much to the "French Queen's honour in behalf of her ſub-"jects," as to give up the articles entirely; becauſe he foreſaw, the French commiſſioners would rather break off the treaty, than admit them, and becauſe he knew, as he ſays to Elizabeth, that "your coffers" are not at preſent "full" enough, to "maintain but one year's war" againſt the French. And Camden accordingly unites with Cecil in aſſuring us, that Cecil would not ſuffer the requiſitions of Murray to be inſiſted upon. But then Cecil inſtantly banded with Murray, to obtain by fraud what they could not acquire by fairneſs. The Scotch treaty was to be concluded upon the terms, to which alone the French commiſſioners would aſſent. Then Murray was to forge a new treaty, to inſert in it all that he wanted, and to impoſe the falſe treaty for the genuine upon the parliament. And Cecil was to concur in the buſineſs, to repreſent in his diſpatches to Elizabeth the obnoxious articles as granted, and to play Murray's game of impoſition beforehand. Cecil might thus magnify his own ſervices, to Elizabeth. He might ſeem to be ſecuring important points, for her rebel aſſociates of Scotland. And he might have the credit with her, of effecting for them in appearance, what he found himſelf all unable to effect in reality.

Accordingly the very man, who in his letter of June the 21ſt acquaints Elizabeth herſelf, with the impoſſibility of gaining ſome points in favour of the rebels, as points that "could not reaſonably "be demanded," and "would not be granted" if they were; even he informs Elizabeth herſelf afterwards, of thoſe very points being inſerted in the treaty. Yet he does not do this, by adverting to his own declaration before; marking how much more ſucceſsful he had been, than he once thought it poſſible to be; and then noting, with an air of triumph, the unexpected conceſſions made by the French. No! He draws off from his previous declaration, without noticing it. He chuſes not to mark the deviation, that he may not betray the contradiction. He wraps up in the miſt of art, what he could not exhibit to the eye. He folds himſelf in his own diſguiſes, to conceal what he would not have to be known. And he manifeſts his knavery, by his manner. He had explicitly aſſured Elizabeth, that he could not demand the terms. He had equally aſſured her too, that he ſhould not obtain them if he did. Camden alſo informs us additionally, that they were neither obtained nor demanded. And yet Cecil, without a ſingle reference to his own obſervations before; without a ſingle intimation, how *he* came to aſk what was not to be aſked, and how *they* came to grant what he was ſure they would never grant; and with only the bold agility of fraud; leaps to the concluſion at once, and inſerts the articles as actually aſked and actually granted.

On the 23d of June, only *two* days after his memorable letter to Elizabeth above, he apprizes Sir W. Petre, one of her council; that the French commiſſioners have returned an anſwer to the Scotch, and have aſſented to their *ſeventh* article. In this he inſerts two of the very points, that "could not be demanded," and "would not be "granted." They agree, he ſays, "qu'il y aura "ung Conſeil, de tel nombre qu'il ſera adviſé, ſans "l'intrevention et conſentement duquel ne pourra "rien eſtre ordonné, en matiere d'eſtat, n'y en "quelque aultre que ce ſoit [*]." And, as he adds, "conſentent les dicts Deputés, que le Roy n'y la "Royne n'ordonneront guerre n'y paix par decá, "ſinon par le conſeil et advis des trois eſtats, ſui"vant la couſtume du pais et de leurs prede"ceſſurs [†]." Theſe are plainly two of the offenſive articles, with all their offenſiveneſs rank about them. Theſe are two of the three, that Murray propoſed to Cecil, and that Cecil rejected, as "nec "a ſubditis præponenda, nec a principibus con"cedenda." Yet, by Murray's and Cecil's cooperating ſlight of hand, we have them both here in the treaty, as required by the ſubjects, and as conceded by the ſovereigns, of Scotland. Murray is thus made to require from the French commiſſioners, what Cecil and Camden aſſures us was never required from them at all. And the commiſſioners are here made to concede, what Camden and Cecil aſſure us would not be, and was not, conceded at all. The commiſſioners indeed are made to grant them both, without the ſlighteſt heſitation. They grant them at the *firſt* requiſition. And the fraudulence of the paper betrays itſelf at once, by its unnaturalneſs. But Cecil is not content with this. He will go farther. He therefore adds a marginal note, to the article. "This article," he there tells us, "is very looſely made; "but it is *now better accorded*, for the *ſuerty* of "Scotland *." He is not ſatisfied, with the violent introduction of two ſuch ſweeping clauſes as theſe, into the treaty. But, with the cuſtomary over-acting of forgery, he pitches his bar a whole length beyond the mark. He makes the article to be ſtill "better accorded for the ſuerty of Scot-"land," even than he has given it himſelf, from the writing of the French commiſſioners themſelves. And they, who were ſure not to grant ſuch points; who were ſo ſure not to grant them, that Cecil would not riſk the experiment of aſking them; and who were not aſked, and therefore could not grant: even they grant them at once, we know not why, only two days afterward; and even they grant ſomething more, we know not what, additional to them.

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[*] Haynes, 331. [†] Ibid.

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* Haynes, 331.

On the eighth of July afterwards, Cecil unites with his colleague Wotton, to acquaint Elizabeth herſelf with the particulars of the treaty. In this diſpatch he *corrects* his former, as he corrected an article in the former by a marginal annotation before; and adds the omitted article to the other two. He recites the other two, as parts of the treaty; and then ſubjoins the third. "In the accords of Scotland" it is provided, he ſays, thus: "the King or Queene ſhall never make warre nor "peace here, without the conſent of the three "eſtats; Item, for governance of the policy of this "realme, the three eſtats ſhall chooſe twenty four, "of the which the Queene ſhall chooſe ſeven, and "the eſtats five, to make a counſel of twelve, "without the greater of which nomber nothing "ſhall be done for the pollicy *." And, as he adds for another article, "all things don heere "againſt the lawes ſhall be diſcharged, and a law "of oblivion ſhall be eſtabliſhed in this parlement, "excepting only ſuch as the eſtats here ſhall "judge unworthy of this privilege †." We thus ſee the French commiſſioners, improving in condeſcenſion, and advancing in civility, as we move along. They, who were ſo ſtiff before in their principles and practices, that Cecil would not venture to propoſe, what his aſſociate Murray longed to ſecure; by the wild enchantments of impoſture, are reduced into the moſt ſupple and conceding of all human beings. The formidable maſtiff is charmed down into my lady's lap-dog. And they, who were *not* ſolicited to grant ſuch an article as this, even in the *very firſt* requiſition that was made them; are yet repreſented as granting it afterwards, and even, to all appearance, as granting it without any requiſition at all.

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* Haynes, 355. † Ibid. 356.

Throughout this whole buſineſs, Cecil was plainly acting in concert with Murray. But he ſhows it more plainly, by two ſlight ſtrokes of his pen. When he pretends to give us the anſwers of the French, to the requiſitions of the Scotch; he notices one article, concerning the reſtoration of the clergy to their eſtates, goods, and juriſdictions. But then he affixes a darkly ſly note, to the ſide of it: "this is lyke to be tempered otherwiſe *." He thus ſhows us dimly, his own foreknowledge of that ſcandalous diſhoneſty, which Murray and his accomplices *then* intended to practiſe, and actually practiſed afterwards, againſt the clergy. But he ſpeaks in a more intelligible language, when he comes to inform Elizabeth herſelf of the treaty. He then ſays thus: "Item, all the complaints of "the deprived clergie ſhall be hard in this next "parlement, and reformation ſhalbe made by "the three eſtates, *which we think will be light* "*ynoughe* †." And he appears from the ſun breaking in upon us through theſe two crevices together, to have been let into the ſecret of that curſed confederacy,

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[*] Haynes, 332.

[†] Ibid. 356.

deracy, which was afterwards pointed with ſo much baſeneſs upon the clergy, in the very moments in which it was firſt formed.

Such a bold aſſociate with Murray in forgery, and in all flagitiouſneſs, was Cecil! Yet he was not ſo bold a forger as Murray himſelf. He did not pretend, like Murray, to new-form the very treaty, and to ſubſtitute his *falſified* copy for the true original. No! He took a lower ſtation in the element of forgery. He left that eagle-genius in falſification, to mount upwards with his daring wing, and to face the very ſun of truth with an unſhrinking eye. He was more owl-eyed himſelf in his forgeries. He gives Sir W. Petre, only *his own abridgment* of the French replies to the Scotch: "*abriege* des reſponſes faictes par les De-"putez du Roy et de la Royne, aux Seigneurs de "la Congregation *." He alſo gives Elizabeth, only *his own abſtract* of the articles in the treaty. "As for the *ſubſtance* of our accorde," he ſays, "your Majeſty ſhall pleaſe to underſtande, that yt "conſiſteth in theſe poynts—; this is the *ſomme* "of our treaty, which, with the accorde of Scot-"land, hath ſpent us ſixteen dayes, that is, from "the 16th of June to the thirde of July, and of "that tyme *three parts* hathe bene ſpent *in accord-"ing of the matters of Scotland,*" though he himſelf repreſents the French, as granting two of the three grand articles at the very firſt requiſition, and even as granting the third afterwards, though it was not in the requiſition at all; "as to the accords of

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* Haynes, 331.

" Scotland, theſe be the *principal heads* therof *." By ſuch a mode of proceeding as this, he could turn and twiſt the treaty into any form that he pleaſed. And he accordingly makes Murray to obtain by it at laſt, all that Murray reached out his ambitious hand to graſp at firſt; and all that he himſelf had told Murray and Elizabeth, was not even to be aſked, becauſe of the extravagance of it. Elizabeth therefore, though all unconſcious of the forgery practiſed upon her, very naturally remarks to Cecil thus concerning it: " we ſee " the Scotts are *liberally* conſideryd *in theyr de-* " *mands*, and *allmoſt nothing refuſed that they* " *aſked*; but our reaſonable demaunds—is no ſo " wayed by the Frenche, nor brought to any ſuch " terms of indifferent recompence, as reaſon and " equity wolde †." Cecil could not give a falſe account of the treaty with England, becauſe he was to ſhow the original itſelf to Elizabeth. But he could fling any colours that he choſe, out of all the various dies of forgery, over the articles with the Scotch rebels; becauſe they were not to be exhibited to her at all. Accordingly no copy of the Scotch articles appears from his letters, to have been ſent by him, either to Elizabeth or to any of her council. Even on the very day upon which theſe articles were ſigned, and the treaty between England and France was ſubſcribed; when he ſent away one of his brother-commiſſioners with the latter to Elizabeth, he ſent no copy of the former.

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[*] Haynes, 354—355.

[†] Ibid. 343.

" *July* 6," he ſays in his diary, " the treaty at Edin-" burgh inter W. Cecill and D. Wotton ex parte " Angliæ, et Epiſcopum Valentiæ et D. de Randon " ex parte Franciæ; and Sir Peter Carew ſent " *therwith* to the court *." And, what is ſtill more, no copy has been ſince found among his or any other papers, as either ſent or brought by him to London.

This is a very remarkable circumſtance. It ſeems of itſelf to lay open the whole knavery. I ſhall therefore dwell upon it.—Cecil muſt neceſſarily have taken a copy of the Scotch articles, and have either ſent or brought it to London, in order to exhibit it to Elizabeth, and to depoſit it afterwards among the ſtate-papers of her reign; *if he had not had ſome knaviſh reaſon*, for *not* doing ſo. Motion would always be performed in a right line, if ſome obſtructions did not interpoſe to divert it into a curve. And, as we diſcern the obſtructions in the diverſion, ſo we know the knavery from the deviation. Had Cecil taken a copy for this purpoſe, he muſt naturally have had it authenticated, as he had one authenticated afterwards, by the addition of ſome ſignatures to it. He muſt *now* have had the ſignatures of the *French* commiſſioners, as well as of the Scotch. But to have done *this*, would have been to preclude the whole ſyſtem of villany projected, and to prevent entirely the ſubſtitution of a forged treaty for the true. The copy *now* taken muſt neceſſarily be a copy of the true. This was what he could not ſhow to Elizabeth. It would directly confront all his epiſtolary repreſentations of the treaty. It would convict him of falſhood. It would ſink his ſervices done to the Scotch, as low as their real level. It would blaſt his character with Elizabeth, by both. But it would be ſtill *more* hurtful. If *he* aſked for a copy ſo authenticated, the French commiſſioners would undoubtedly aſk for one too. And then, then the grand movement intended in forgery, would be barred up for ever. Cecil therefore acted in a very different manner. He could not ſuffer the French to take a copy for Mary. He could not ſuffer himſelf to take one for Elizabeth. He muſt affect to conſider the Scotch articles, as in truth they virtually were, as merely a few formal conceſſions on the ſide of the French commiſſioners; as ſomething granted by them to the Scotch rebels, *when* it was properly accepted by the parliament; but as nothing to be ſigned by the Scotch, *before* it was ſo accepted. And accordingly we find the Scotch nobles to have *then* ſigned the treaty, *when* it came before them in the parliament. "We underwrit-"ten," they *then* ſay, "as well for ourſelves as for "the reſt of the nobility of Scotland, do promiſe and "ſhall oblige ourſelves to what is above." In this view of the Scotch treaty, to have a copy of it taken at preſent, for either the French or the Engliſh commiſſioners, might eaſily be made, by the artful repreſentations of policy, to ſeem impertinent and ridiculous. The parliament muſt firſt ſubſcribe it. It will then become a regular paper of ſtate. Then the French commiſſioners will receive a copy of courſe, in the ratification ſent from the parliament to Mary. And then the Engliſh commiſſioners may have another, from the Scotch. In this manner only, could the train be laid, that actually blew up the Scotch part of the treaty into the air, and lodged another in the room of it. In this manner might it be eaſily laid. And what confirms all this reaſoning entirely, and deciſively proves Cecil to have had no copy of the treaty at the time; he actually *ſupplied his want of ſuch an one*, with a copy taken by Murray, Ruthven, and Lethington afterwards, and with one taken *after* the parliament had accepted and ſigned the ſpurious treaty for the true.

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* Murdin, 751.

This fact ſpeaks ſufficiently to the point. Cecil neither took nor received a copy of the Scotch articles, at the time. Such a copy would not ſuit the forgery deſigned. He therefore choſe to have one taken afterwards. *Then*, and *then* only, would it coincide with the impoſition, already put upon Elizabeth. She would naturally demand a ſight of the articles. He would put her off with the expectation of one, that was to be ſent him from the parliament, as ſoon as the original had been accepted and ſubſcribed there. One accordingly came. By this time, all that was projected had been executed. The forged articles had been ratified in parliament, and the pretended commiſſion had been recited to it. A copy of both was now ſent to Cecil, upon the ſame paper. This was what he wanted. He knew the commiſſion to be ſpurious, yet he received it for genuine. And, though he knew the articles to be falſe, he accepted them as true. But the articles and the commiſſion had been ſent by the forgers, without any atteſtation made of their authenticity. In this naked ſhape, they were unfit for the eye of Elizabeth. They muſt have ſome garniture thrown around them, by way of confirmation; to calculate them for her inſpection. Cecil therefore ſupplied the defect, by writing a clauſe of atteſtation with his own pen, at the bottom of the paper. Then he gave back the paper to the bringer, and afterwards ſent it back to the ſenders, in a great hurry, for thoſe ſignatures of authentication to the whole; which their conſciouſneſs of the forgery, and their want of ſolicitation to repeat an iniquity when the original occaſion for it was paſt, had induced them to omit before. The ſenders equally returned the paper in a great hurry, with their authenticating ſignatures annexed. Thus he had no time to require, and they had none to write out, a liſt of the parliamentary ſubſcribers to it. The urgency of the occaſion would not permit either to do ſo. It equally prevented any note of time, from being put to the atteſting clauſe or to the atteſting ſubſcriptions. Elizabeth was calling for a ſight of the copy. Elizabeth would naturally call for a paper, that had been long promiſed her; and with the more impatience, for the long delay. It came back. It was now authenticated. It was now ſhown. And Cecil, by connivance and concurrence, dipped his hands boldly in that foul ciſtern of forgery, in which the Scotch had been plunging before, and were even now plunging, with ſo much pollution and audaciouſneſs; and dipped them, not with the view of impoſing upon poſterity, as may ſeem at firſt to have been his aim; but with the view, that alone can ſtrike upon the *ſenſorium* of a knave; that of acting to the preſent moment, of gratifying an immediate intereſt, and of now corroborating the impoſition for his own ſake to Elizabeth, which for his own ſake he had begun upon Elizabeth before.

All ſerves to ſhow us, how cautious we ſhould be of admitting any papers for authentick, that are unfavourable to the name of Mary or her mother, and come out of the repoſitory of this patron and practiſer of forgery againſt them. He patronized thoſe forgeries of Murray's, which were exhibited to the commiſſioners of Elizabeth. He practiſed forgery himſelf upon Elizabeth, in his diſpatches; in the title, which he prefixed to the pretended commiſſion and ſpurious articles; and in the label, which he affixed to the back of them. And as Elizabeth, who could afterwards manage this diabolical engine of forgery herſelf, appears to have ſuffered a little from its exploſions at firſt; ſo Cecil, we ſee, was the engineer, that muſt have introduced her originally to a knowledge of this formidable artillery, and was previouſly introduced himſelf by Lethington, that great father of forgery in Britain, at the time of the Scotch treaty in 1560. But the whole ſerves alſo to ſhow us, how even more cautious we ſhould alſo be, of admitting any papers for authentick, that have merely the evidence of the Scotch reformers themſelves, for their authenticity. Thoſe reformers have been already convicted of ſo many forgeries, that we cannot be too ſuſpicious of their impoſitions. We now ſee, that their practices of forgery began with their outrages of rebellion, and almoſt even with their very origin; that the felleſt and fouleſt ſerpents of earth, as it were, ſwarmed around the very *cradle* of Scotch preſbyterianiſm; and that this young Hercules of vice, as he lay there, ſmiled with ſatisfaction at the ſight of the monſters, claſped them to his breaſt, and kiſſed them as his favourites. Nor was his progreſs in life, un-anſwerable to his outſet in infancy. The letters, the ſonnets, the contracts, and the long liſt of other forgeries before and behind *, were only thoſe productions of the *man*, that were naturally to be expected from ſuch an *infant*. But there are many forgeries beſide, I doubt not, which have been impoſed upon the world by theſe rebel-reformers of Scotland, and ſtill maintain their credit on the page of hiſtory. Their horrible maſs of fiction has been little examined yet. The papiſt ſeems to have been reſtrained from examining it, by the fear of offending a party, who, in Scotland particularly, have ſhown themſelves as tyrannical in power as they had proved themſelves rebellious out of it. And the proteſtant has been long ſleeping, under the poiſonous ſhade of impoſture. An awakening ſpirit of ſuſpicion, however, will now go forth. The proteſtant will ſtart away, from the covert of his manchineel tree. The papiſt will throw off the fetters, that have lain ſo long upon his mind and pen. The forgeries of the Scotch reformers, will be examined with a critical eye, and be held up with a bold hand. And we may thus come at laſt, and after the purgations of half a century perhaps, to ſomething like an authentick hiſtory of the reformation in Scotland *.

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* See next Nº in this Appendix.

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* Let me here obſerve, that Dr. Stuart's hiſtory of this reformation, in my opinion, has fallen far ſhort of what the world had reaſon to expect from ſuch a writer. I read it not indeed, till I had read his hiſtory of Mary. I was therefore the more diſappointed with that, in proportion as I had been pleaſed with this. There is little of the good-ſenſe and diſcernment, which the hiſtorian of Mary diſplays, to be traced in the hiſtorian of the reformation. Nor can I refrain from ſaying, however reluctantly, of my predeceſſor in the work of vindication; that there is more judiciouſneſs and ſagacity in one or two notes of Mr. Hume's hiſtory (v. 26, 30, and 32), than in the whole of his. And all the apology which can be made for him, is, That an eagle requires a train of years, to form it into the king of birds; that even a Stuart could not all at once diſengage himſelf, from the manacles of rebel impoſture; that he ſaw not into the forgeries of the rebels, before he had advanced into the annals of Mary; and that he had no opportunity of ſhowing his acquired inſight afterwards, in a *ſecond* edition of his prior hiſtory.

N° XV.

CONCERNING SOME OTHER FORGERIES.

HAVING in p. 372—380 ſhown the eccleſiaſtical courts of Scotland, to be in actual exiſtence and actual power, ſo many months before Buchanan and Knox aſſert them to have been revived by Mary; and even to be in the full exerciſe of their authority, no leſs than three years before: we come to ſee, not merely a rebel falſification of hiſtory concerning the point, but a train of formal FORGERIES made by the rebels. And I wiſh here to proſecute the argument, into this new point of diſcovery; and to add three forgeries more, to the many that I have detected already.

I.

" At the ſame time," ſays Knox, when he is ſpeaking of the kirk-aſſembly held on the 25—27th of DECEMBER 1566, " the Biſchop of Sanct " Androis, BY MEANS OF THE ERLE OF BOTH- " WELL, procured a wryting from the Quenis Ma- " jeſty, to be obeyed within the dioceſſe of his ju- " riſdiction, in all ſuch cauſes as *befoir*, in *tyme of* " *popery*, wer uſed in the Conſiſtory; and *thare-* " *foir* to *diſcharge* the *new commiſſioners* *." Yet

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* Knox, 403.

" the new commiſſioners," or *commiſſaries* as they are generally called, were never diſcharged at all. " All ſuch cauſes" too, " as befoir, in tyme of po- " pery, wer uſed in the Conſiſtory," were ſtill uſed there at the original appointment of commiſſaries. And the very Earl, who is here ſaid to have occaſioned the re-erection of the conſiſtory in *December* 1566, appears in that very conſiſtory *ten months before*; making uſe of its powers, in order to obtain a diſpenſation from Rome by it.

But, as Knox goes on, " for the ſame purpoſe" the archbiſhop " came to Edinburgh in JANUARY, " having a cumpany of one hundred horſes or " more; intending to tak poſſeſſioun, according to " his gift lately obtained *;" that is, to enter upon the exerciſe of his new power, to conſtitute officers, and to open a court, there. Yet he appears in this very city, and in the month of *February before*, actually holding a court, actually examining witneſſes, and actually atteſting their depoſitions, under the ſign manual of his prothonotary, ſecretary, and datary. " Depoſitiones," ſays the record concerning Bothwell above, " teſtium juratorum in " præſentiâ Magiſtri Alexandri Forreſt, Rectoris de " Logymontrois, Prothonotarii, Secretariique, et " Datarii Reverendiſſimi Domini et Domini Joan- " nis Archiepiſcopi Sancti Andreæ, Legati," &c. " apud Edinburgh, in cubiculo Domini Commen- " datarii de Lundoris, viceſimo primo die menſis " Februarii, anno 1565 †." Nor was this merely a ſingle and clandeſtine operation of authority, in the archbiſhop. It was ſuch, as was frequently uſed at the time. This the application of a Lady Jane Gordon to it, ſhows ſtrongly. This the application of a Bothwell, a proteſtant and a peer, one of the firſt of peers, and one of the foremoſt of proteſtants, ſhows more ſtrongly. And the officer of the court expreſsly informs us, that he ſet his ſign manual and ſubſcription to the whole, *juſt as he was accuſtomed to do in ſimilar caſes.* "Quas quidem depoſitiones teſtium prædictorum," he ſays, "Ego Magiſter Alexander Forreſt, Rector de Logy Montroſe, Prothonotarius ac Datarius prædicti Reverendiſſimi Domini Joannis Sancti Andreæ Archiepiſcopi, ac Legati, mediis ſuis juramentis, corporaliter recepi, et in his ſcriptis redegi: teſtantibus meis ſigno et ſubſcriptione manualibus, UT MORIS EST IN SIMILIBUS, anno, menſe, die, quibus ſupra [*]." So plainly does this great founder of preſbyterianiſm in Scotland, Knox, come forward to the eye, with the "honours" of forgery "bluſhing ſtrong" upon his brow!

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* Knox, 403.

† Tytler, 3d edit. App. 26.

But he comes forward ſtill more. "The proveſt" of Edinborough, he adds, "being advertiſed thareof by the Erle of Murray;" being apprized of the archbiſhop's deſign, to open a commiſſion *which had never been granted*, and to re-enter upon the exerciſe of powers, *which he had been continually exerciſing before*; "they," meaning, as the context in ſtrictneſs ſuggeſts, the provoſt and Murray, but really meaning, no doubt, the provoſt and citizens of Edinborough, "ſent to the "Biſchop thrie or four of the *Counſaill*," not privy counſellors ſurely, ſent by the provoſt, but members of the common-council; deſiring him to deſiſt from the "ſaid matter, for fear of trouble "and ſeditioun that micht riſe thareupoun;" a deſire, if theſe were privy counſellors, very abſurd to be expreſſed to *him*, and, if they were merely common-council men, infinitely abſurd to be intimated by *them*: "quherby he was perſwaded to *deſiſt* at "that tyme *." He complied, it ſeems, with the very abſurd requeſts of theſe privy counſellors; or he yielded to the infinitely abſurd deſires, of theſe common-council men. He was afraid of a ſedition and tumult in the town, if he exerciſed that authority in it, which he had been perpetually exerciſing in it, without moleſtation, before. He therefore opened *not* his commiſſion. He formed *no* court. He exerted *no* authority. And Knox, like many a narrative liar of modern days, in the proſecution of his forged tale has forgot the very purpoſe, for which he forged it. Long habituated to lying, the mind ſeems to loſe even that rectitude and conſiſtency of underſtanding, which is requiſite to the compleat fabrication of falſhoods. *This* was planned apparently, to abuſe Mary and Bothwell; to ſhow *her* reviving the juriſdiction of the archbiſhop, for the ſake of Bothwell's future divorcement from his wife; and to exhibit *him*, as obtaining the revival with a view to the ſame object. Yet it ſuddenly turns off at the cloſe, from the track in which it had begun to move, and along which it intended to proceed to the end. It ends in no actual revival at all. It ends in an attempt to revive, but an attempt fruſtrated by the cunning of Murray, and baffled by the ſteadineſs of ſome *counſellors*. And it thus ſtands in an amazing contradiction, to its own evident purpoſe in the whole; to the fact before, of the archbiſhop's holding one court for Bothwell's diſpenſation; and to the fact afterwards, of the archbiſhop's holding another for Bothwell's divorcement. So much more plainly did this unhappy man, who appears to have been actuated with a real zeal for reformation, ſuffer himſelf to become a knave in his zeal; to ſink into a forger, for the reformation; and to degrade the high profeſſor and warm preacher of a purer Chriſtianity, into a mere PROTESTANT JESUIT.

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[*] Tytler, App. 26.

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* Knox, 403. So in 370, "the proveſt and counſaill;" 371, "proveiſt, bayliffe, and counſaill;" 381, "the counſaill "of Edinburgh," &c.

But it is dreadful to obſerve the rapid gradations of aſcent, in the wickedneſs of the human heart. Knox appears only a modeſt forger, when we come to compare his fabrication with thoſe of his diſciples and followers. A double portion of his ſpirit was inherited by them. And they went on in ſuch a bolder ſtrain of forgery afterwards, as enables us to detect their impoſitions, with a ſtill brighter beam of evidence.

II.

Knox himſelf preſumed not to ſay, that any farther oppoſition was made, to this pretended renovation of the ſpiritual courts. His *ſilence* in *ſuch* a cauſe, is a deciſive evidence againſt any. But he is not merely ſilent. He relates the whole in ſuch a manner, as actually precludes all ſuppoſals of any other oppoſition. He relates it as one whole. The Queen ſigned an order, for reſtoring the archbiſhop's juriſdiction. The archbiſhop came to Edinborough, to execute the order. Murray apprized the city of his intention. The city interpoſed with the archbiſhop, to prevent the execution. And the archbiſhop did *not* proſecute the intention, and did *not* proceed to execution. This is compleat in all its parts. It precludes all poſſibility of addition. Yet Calderwood, and yet the general aſſembly, break through the impoſſibility, and make an addition. They even make an aſtoniſhing one.

Calderwood, who did not write till nearly a century after Knox, ſays that KNOX HIMSELF ACTED A VERY CONSPICUOUS PART, in this buſineſs. Knox himſelf, whatever he himſelf may ſay, *made a very remarkable oppoſition* to the Queen's commiſſion. Knox *did not know* of *his own* oppoſition to it, and yet Calderwood did. Knox did not know, that he himſelf wrote a circular letter to his brethren, to put them upon ſtruggling againſt popery in *his* religious manner, and to form a general confederacy againſt theſe riſing courts of the church. Yet he did do it. Calderwood atteſts the fact. Calderwood gives us a copy of this very letter. How then can we entertain a doubt? Knox therefore, who was long reputed a prophet as well as a ſaint by the preſbyterians of Scotland, and who even arrogated to himſelf the honours of a prophet in his life-time *, muſt have written it in a prophetick delirium, that left no traces of the act upon his mind afterwards.

But let us appeal *from Philip drunk to Philip ſober*. Knox in his ſober ſenſes has informed us, that in JANUARY 1566-7 Murray apprized the provoſt of Edinborough, that the provoſt ſent to the archbiſhop, and that the archbiſhop deſiſted from his purpoſe. He expreſsly deduces the whole hiſtory of the buſineſs, we ſee, as low as the month of *January*. And he thus precludes for ever the tale, that Calderwood preſents to us concerning him, and that Calderwood dates in the month of *December* before.

" That cruell murderer of our brethren, falſly " called the Biſhop of Sanct Andrews," ſays this pretended letter of Knox's, " moſt unjuſtly and " againſt all law *hath preſumed to his former ty-* " *rannie*, as *a ſignatur, paſt* for his *reſtitution* to " his ancient juriſdiction (as it is termed) more " fully doeth proport. What end may be looked " for of ſuch beginnings, the half-blind may ſee, as

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* Knox, 331—332, and Stuart, ii. 76.

"we ſuppoſe: and yet we have heard, that a certain ſum of money and victuals ſhould be aſſigned be the Queen's Majeſtie, for ſuſtentation of the miniſtry; but how that any ſuch aſſignation, or any promiſe made therof, can ſtand in any ſtable aſſurance, when that Roman Antichriſt, be juſt laws once baniſhed from this realm, ſhall be intruſted above us, we can nowayes underſtand —: for if we think not, that *this laſt erecting of that wicked man*, is the very ſetting up again of that Roman Antichriſt within this realm; we are deprived of all right judgment—. Therfor we ought to be the more vigilant and circumſpect, eſpecially ſeeing a parliament is proclaimed. We have ſent to you the form of a ſupplication and articles, which we would *have* preſented to the Queen's Majeſtie: if it pleaſe you, we would ye ſhould approve it by your ſubſcriptions; or if ye would alter it, we deſire you ſo to do, and we ſhall allow quhatſoever ye ſhall propone not repugnant to God. If it ſhall be thought expedient, the commiſſioners of countreys ſhall conveen to reaſon upon the moſt weighty matters that now occurre; the time and place appointed by you, and due advertiſement given unto us; by God's grace there ſhall no fault be found in us —*."

This forgery, which has been made for that forger Knox, juſt as we have ſeen others made for his brother-forger Buchanan, betrays itſelf to the examining eye by ſeveral marks. The main aſſertion in it, I have already ſhown to be falſe in fact; and ſhall again ſhow, before I cloſe this diſſertation. But I wiſh at preſent to ſeize ſome ſubordinate points in the forgery, to hold them up to the publick view, and to expoſe the forgery the more plainly from them.

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* Keith, 566—567.

This letter carries no date upon it. But it clearly pretends to be written, in DECEMBER 1566. "We have *heard*," it ſays, "that a certain ſum of "money and victuals ſhould be aſſigned be the "Queen's Majeſtie, for the ſuſtentation of the "miniſtry." This was actually done by the Queen at Stirling, on December the 20th 1566 *. And only a report of it is ſuppoſed to have yet reached Edinborough, at the time when this letter pretends to be written. It is calculated, therefore, for the period of the general aſſembly, which met at Edinborough on December the 25th 1566, which actually *accepted that offer* from the Queen on the 26th, and continued to meet till the 28th afterwards †. But it betrays its *poſteriour* fabrication, by two ſpecial deviations of chronology in it.

"WE have ſent you," ſays this *ſpurious* Knox, "the form of a ſupplication" &c. "if it pleaſe "you, WE would ye ſhould approve it by your "ſubſcriptions; or, if ye would alter it, WE deſire "you ſo to do, and WE ſhall allow whatſoever ye "ſhall propone not repugnant to God: if it ſhall "be thought expedient, that commiſſioners of

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* Keith, 562.

† Ibid. 563—570.

"countreys ſhall conveen, to reaſon upon the moſt "weighty matters that now occurre; THE TIME "AND PLACE APPOINTED by you, and DUE ADVERTISEMENT given unto us, by God's grace THERE "SHALL NO FAULT BE FOUND IN US." It is not neceſſary to dwell upon the palpable abſurdity, of deſiring a vaſt multitude of individuals, ſeverally to alter the form as they pleaſed, to appoint a time and place for this eccleſiaſtical CONGRESS, and to notify the ſame to Knox. In a forger's ideal common-wealth, this may be done. But, in a real republick or a real kingdom, this is more difficult, than to ſquare the circle or to aſcertain the longitude. And I go on to notice my principal object here.

All implies Knox to HAVE BEEN THEN IN SCOTLAND, and to have intended TO REMAIN IN SCOTLAND, for an *indefinite* number of weeks to come. Only ſo, could he have been ready to receive their alterations, and to "allow" them, if *he* thought them "not repugnant to God?" Only ſo, could he have received too their opinions, concerning a convention of commiſſioners; and their notifications of time and place, for holding it? And only ſo, could he have declared his reſolution to attend the convention in perſon? Yet the fact is, that he had no ſuch intention at the time, that he intended at the time to *leave* Scotland, that he actually applied to the *aſſembly* for *licence* to *leave* it, and that he actually *obtained* licence for leaving it. On the TWENTY-SEVENTH of December 1566, he made a requeſt in form to the aſſembly, "to paſs to the "realme of Ingland, to viſite his children, and to "do his uther buſineſs." On the TWENTY-SEVENTH of December, the aſſembly "all in ane "voyce grants licence to our ſaid brother" Knox, "according to *the Quenis Majeſties conduct*," which he had *previouſly* procured, "to paſſe to the ſaid "realme, for purpoſes forſpokin, and utheris his law-"full affaires, what tyme he ſall think moſt com-"modious for his journey; provyding likewayes, "that he *returne* to this realme of Scotland, *before* "*the* 25 *of this moneth of Junii nixt inſewing*," when another aſſembly was to be held. The aſſembly even drew up a letter, for him to carry; reminding the biſhops of England, "how tendir a thing the "conſcience of man is," when they themſelves were acting in direct oppoſition to their own principle, inſulting the Queen for her tenderneſs of conſcience, and perſecuting the other papiſts for theirs; and deſiring the biſhops "gentlie to handle the brethern "preachers, touching the habits, ſurpcloaths [ſur-"plices], and uther abulziements [dreſſes];" and declaring in the predominance of their folly, that becauſe "ſurpclaiths, cornett-cap, and tippett hes bein "badges of idolaters in the verie act of thair ido-"latrie," as if ſhirts, ſhoes, and ſtockings had not been equally ſo, they ought to be rejected, and even feared, by true proteſtants *. And as Knox appears from all, to have *not* intended a ſtay in Scotland, for an indefinite number of weeks, at this period; ſo does he deciſively appear *not* to have written the letter, which plainly implies him to have thus intended.

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* Keith, 564—565. This letter is alſo in Knox, 402—403; but much modernized.

But there is another mint-mark of forgery, in the letter. It urges the people "to be the more "vigilant and circumſpect, eſpecially ſeeing a *par-"liament is proclaimed.*" But when was a parliament firſt proclaimed, *after* December the 20th 1566? When was one, *after* the murder of Rizzio, March the 9th 1566? A parliament was intended to have been held on March the 12th*. Then Mary deſigned "to have done ſome good, anent "reſtoring the auld religion †." The people therefore might well be warned *then*, "to be vigi-"lant and circumſpect, eſpecially ſeeing a parlia-"ment is proclaimed." Nor was one proclaimed afterwards, till the murder of Darnly had been accompliſhed. Then Lenox requeſted one to be called, in a letter dated *February the twentieth* 1566–7. And, in a letter *of the very next day*, Mary ſays thus to Lenox; "evin ſchortlie before the re-"cept of zour lettre, we had cauſit proclame a par-"lement ‡." A parliament therefore had been ordered, about the TWENTIETH of February 1566–7. And this circular letter, which pretends to be written a few days after the 20th of December 1566, was apparently written for a period *before* the 12th of March in this very year, or for one *after* the 20th of February in the year following.

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[*] Keith, 331. [†] Ibid. [‡] Ibid. 370.

III. So

III.

So clearly is this paper convicted of forgery! But let us now proceed to another. Let us come to the general aſſembly itſelf. The regiſter of the aſſembly ſays thus: "ordaines ane humble ſuppli-"catioun to be made to the lords of ſecreit counſell, "anent *the commiſſioun of juriſdictioun*, ſupponit "grantit to the Biſchop of Sanct Androes, to the "effect that their honours ſtay the ſame." Accordingly a form of ſupplication is entered in the regiſter, immediately under the order. It ſays, as Knox has been made to ſay before: "that "cruell murtherer of our brethren, maiſt falſlie "ſtylit Archbiſchop of Sanct Androes, &c. is *re-"ponit and reſtorit be ſignatur paſt to his former "tyrannie*; for not only are his *ancient juriſdictiouns* "(as they are termit) of the haill Biſchoprick of "Sanct Androes *grantit unto him*, but alſo the exe-"cutioun of judgment, confirmatioun of teſtamen-"tis, and donatioun of his benefices; as more "amplie in his ſignatur is expreſt *."

Here is that evident confuſedneſs in the language of the ſupplication and the order, which a reality, a correſpondent object exiſting in nature, could never have permitted. The *ſpectre* of Knox before has aſſerted, that there was "a ſignatur "paſt," for the reſtoration of the archbiſhop's juriſdiction. He even cites the very words of it.

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* Keith, 566—567.

By this ſignature, he ſays, the archbiſhop was reſtored "to his ancient juriſdictioun, as it is term-"ed." And he refers to it for a fuller account of the whole, in theſe expreſſions; "as a ſignatur "paſt—*more fully doeth proport.*" Juſt ſo, the aſſembly's ſupplication ſpeaks of "his ancient ju-"riſdictiouns *(as they are termit)*;" and refers for further particulars to the ſignature itſelf, "as *more* "*amplie in his ſignatur is expreſt.*" Yet, after all, the regiſter of the aſſembly ſpeaks in the order for the ſupplication, of "the commiſſioun of juriſdic-"tioun *ſupponit* grantit to the Biſchop of Sanct "Androes." Knox in his letter, and the aſſembly in their ſupplication, have both of them *ſeen* and *read* the commiſſion; and yet this very aſſembly, in their very regiſter, modeſtly tells us, that it was only a commiſſion *ſuppoſed* to be granted. Viſion is thus ſunk into belief; and the ſolid maſs of certainty has evaporated away, into the miſts of ſuppoſition.

We have now, however, two ſupplications. Knox is made to ſay, that he has ſent "the form of a "ſupplication;" and the aſſembly votes "ane "humble ſupplicatioun to be made." But *that* is to be ſubſcribed by the people, and "preſented to "the Quene's Majeſtie;" and *this* is "to be made "to the lords of ſecreit counſell." They are, therefore, very different from each other. We have thus three different modes of proceeding, againſt the pretendedly renewed juriſdiction of the archbiſhop, adopted by the three agents in the three forgeries reſpectively. One forms a ſupplication to the Queen, from the people at large. The ſecond forms a ſupplication, from the aſſembly to the privy council. And the third ſets the provoſt and his *counſellors*, upon frightening the archbiſhop from his commiſſion at once. Nor have we a ſingle trace of any of theſe modes of proceeding, in any hiſtory, record, or tranſaction, but what are comprized in their own aſſertions.

The archbiſhop comes to Edinborough, in order to begin a new æra in the eccleſiaſtical annals of Scotland, to renew the aboliſhed authority of the ſpiritual courts, and to renew it with great pomp and formality. He has therefore "a cumpany of "one hundred horſes or more" with him. Yet the very provoſt of Edinborough does not know of his intentions, till he is apprized of them by the Earl of Murray. He knows not indeed of the commiſſion, granted for that purpoſe by the Queen. And Murray apprized the provoſt, that the archbiſhop was come, "intending to tak poſ"ſeſſion, *according to his gift lately obtained.*" The provoſt therefore interpoſed to prevent this grand operation; and prevailed.

The late aſſembly had preſented a ſupplication to the privy council, deſiring them to *ſtop* the commiſſion *already granted*, and to keep the archbiſhop from acting upon it. The privy council was either unwilling or unable, to ſtop it. Yet the provoſt had both the ability and the will, to do ſo. He accordingly ſent "thrie or four of the coun"ſaill," to the archbiſhop. Three or four common council men, undoubtedly, make a very formidable hoſt of Janiſſaries. Theſe advanced in their gowns. Theſe ſhowed all their

Ten thouſand mighty nothings in their face.

And theſe conquered, where the privy council either could not ſubdue, or dared not to attack; became ſuperiour to the archbiſhop; and even roſe triumphant over the Queen herſelf. The archbiſhop deſiſted from his purpoſe. The Queen receded from her intention. And the new commiſſion was virtually reſolved into waſte paper. Such were the *Guildhall giants* of Edinborough, in days of yore!

But when the aſſembly vote and draw up their ſupplication, to the privy council; they know not of Knox's circular letter to the people, and of his propoſed ſupplication to the Queen. Had they known of either, they would neceſſarily have mentioned them in their own ſupplication. They would have requeſted the privy council, to ſuſpend the *immediate* execution of the commiſſion; *becauſe* a general ſupplication was deſigned to be made to the Queen; and a ſtrong hope was entertained, ſhe would be induced by *this* to reſcind *that* for ever. In a ſupplication ſo ſtated, there would have been ſome gleam of good-ſenſe. But there is not a ſingle ray of the kind, in theirs. They therefore knew not of Knox's. And they were as ignorant of his ſupplication, as the provoſt was of the Queen's commiſſion, and of the archbiſhop's intention to open it.

But, what is more, the provoſt knows as little of Knox's ſupplication, as the aſſembly do. The aſſembly have voted an addreſs to the privy council. Knox does infinitely more than this. He does, what he and the aſſembly together did not dare to do. He leaves the petty audacity of addreſſing the privy council, and deſiring them to ſuperſede a commiſſion of the Queen's. He ſoars above it. He writes a circular letter to the people. He calls upon them to make a grand ſtruggle, for their endangered religion. And he propoſes an extraordinary convention of IRISH DELEGATES. Yet the provoſt and his common-council men;

Sleek-headed men that ſleep a-nights,

aye, and a-days too; have never heard concerning it. They therefore wait not for the reſult of this bold meaſure, that muſt have agitated the whole kingdom, and kept all the nation in a moſt extraordinary ſuſpence of expectation. And three or four of them ſtep forward inſtantly; to execute the buſineſs at a blow.

But, what is ſtill more ſingular, even Knox himſelf knows nothing of the very aſſembly's ſupplication. He mentions it not in his circular letter, as he muſt have done if he had known of it. He muſt have noticed the addreſs; and hinted at the unlikelihood, of obtaining an effectual ſuppreſſion from it. On this principle he would have grounded the neceſſity, of a more vigorous application to authority. And he muſt neceſſarily have written in this obvious conformity to fact, if he had known of the fact itſelf. It is alſo evident from his *hiſtory*, that he did *not* know of the aſſembly's ſupplication.

He comes down into *January*, with his account of this buſineſs; and yet knows not, what was done by the aſſembly itſelf, in the *end* of *December* before. He was perſonally preſent in the aſſembly, on the 27th of December; *the very day, on which the ſupplication is ſaid to have been ordered and made* *; and yet knows nothing concerning it. He heard not the order. He ſaw not the ſupplication. And he never heard of either afterwards. In his circular letter and in his hiſtory, he knows of neither. In his hiſtory too, as I have obſerved before, he knows not of *his own* circular letter. And he may well therefore not know, of what the aſſembly voted, drew up, and ſigned, the very day that he was preſent himſelf in the meeting.

IV.

Thus do the provoſt and his common-council, the aſſembly, and Knox, all appear ignorant reſpectively, of what each is made to ſay and to do. And the three great agents in this triple forgery, ſtand before us like ſo many madmen; that have been plotting about the ſame object, in their ſeveral cells of darkneſs; and are now come out, to tell their diſcordant projects to the world.

Accordingly Spotſwood, who approaches the neareſt of any of our later hiſtorians, to the date of the aſſembly's ſupplication, and of Knox's circular letter; but who knows no more of the latter, than Knox does of both; and who with that prompt credulity, with which he has believed in ſo many forgeries of Knox's and Buchanan's before, believes alſo in the reality of the revived juriſdiction, and in the authenticity of the aſſembly's ſupplication againſt it; even he ſays thus of both: "I find not "what anſwer it [the ſupplication] received, nor "that the Biſhop made uſe of his commiſſion *." He might well not find, what anſwer was returned to what was never preſented. He might well not find any uſe made of a commiſſion, that was never granted.

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* Keith, 564.

Dr. Robertſon however ſays, that "the pro"teſtant clergy,—as they *deſpaired* of obtaining "the proper remedy from the *Queen* herſelf," the Doctor *not believing*, we ſee, in the circular letter ſent by Knox, ſo arguing upon it as a *non-entity*, and drawing an inference of deſpair in the clergy from its *non-exiſtence*; "— addreſſed a remon"ſtrance to *the whole body* of the proteſtant nobi"lity;" an addreſs indeed, running in *terms* "to "the nobilitie of this realme that profeſſes the Lord "Jeſus with them," but in reality, as we have ſeen before from the regiſter, made only "to the lords "of ſecreit counſell." "What effects," adds the Doctor, "this vehement exhortation might have "produced, *we have no opportunity of judging*; the "attention of the nation being quickly turned, to"wards events of another and more tragical na"ture †."

Dr. Stuart ſpeaks exactly in the ſame ſtrain. On the revival of the archbiſhop's juriſdiction, he ſays, "their," the preſbyterian clergy's, "apprehenſions "were extreme; and they did not heſitate to *ſound* "*them abroad*, and *to call upon the nobility* by a "fervent ſupplication, to attend to the impending "danger." He, equally with Dr. Robertſon, paſſes over the circular letter of Knox. He equally rejects it, as a non-entity. He equally ſubſtitutes the aſſembly's ſupplication, in its room. And he equally makes *this* a circular letter, like *that*; and equally addreſſes *this* to "the nobility" of the realm in general, while in fact it is addreſſed only to the privy council in particular, and while *that* is addreſſed to "you that have profeſſed the Lord "Jeſus within this realme, alſweil *nobilitie*, as *gen*"*tlemen*, *burgeſſes*, and *commons* *." But, as he goes on with Dr. Robertſon, "the effects of their "alarm, and the ſcheme itſelf of trampling upon "the Reformation, were ſuppreſſed and forgotten, "in the noiſe and horror of that tragical ſcene, "which was ſoon to throw the kingdom into con"vulſions, and to involve the Queen in inextrica"ble miſery †."

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* Spotſwood, 198. † i. 393—394. This is exactly the ſame too, in edit. xith, p. 405.

Spotſwood led the way to both, in this haſty and un-critical mode of writing hiſtory. "The "change it ſeems," *he* alſo ſays, "which ſhortly "after happened in the ſtate, did quite fruſtrate "the ſame" commiſſion ‡. But Spotſwood, we ſee, ſpeaks only of the *commiſſion* being ſuppreſſed by the ſubſequent commotions. Dr. Robertſon follows him in the general obſervation, yet confines it all to the *remonſtrance*. And then Dr. Stuart comes, and extends the obſervation to both. So much does hiſtory vary from itſelf, as it moves through different hands! But all unite, let me remark, in ſuppreſſing another fact of forgery. They have already rejected the circular letter of Knox. They now reject Knox's hiſtory of the archbiſhop and the provoſt. And two thirds of the whole forgery are ſilently given up, by the very believers and uſers of the third. Nor do two of theſe writers merely give them up in ſilence. They deny the truth of them. Spotſwood ſays, that the ſucceeding events, "it ſeems, — did quite fruſtrate" the commiſſion; when Knox's hiſtory aſſerts the commiſſion to have been fruſtrated before, and by the provoſt. And Dr. Stuart ſimilarly tells us, that "the ſcheme itſelf of *trampling* upon the reforma-"tion," was ſuppreſſed in the ſubſequent convulſions of the kingdom; when the *cloven-foot* of the fiend, according to Knox's hiſtory, was drawn in during the month of January before, and from the ſucceſsful interpoſition of that grand *exorciſt*, the provoſt. All therefore that Knox relates in his hiſtory, concerning the archbiſhop's coming to Edinborough, in order to open this very commiſſion; concerning the Earl of Murray apprizing the provoſt; and concerning the provoſt being the cauſe of ſuppreſſing the commiſſion; is from the beginning to the end of it falſe. And theſe very writers have ſet to their ſeals in conjunction, to atteſt the falſhood of it.

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* Keith, 567. † i. 184. ‡ Spotſwood, 198.

Nor is their own third of the forgery, leſs falſe than the reſt. Their own account of it ſhows it to be falſe. A commiſſion is granted. An alarm is taken. A violent remonſtrance is circulated through the nation. Yet what enſues? *Nothing at all.* No trace of either the commiſſion or the remonſtrance, is found at all afterwards. The commiſſion, we know not how, ſinks in ſilence to the grave. And the remonſtrance, we know not why, ſpends itſelf un-obſerved in air. Nor can we, with any ſhare of common-ſenſe, attribute the non-appearance of either afterwards, to the dethronement of Mary or the murder of Darnly. That a commiſſion granted in *December*, ſhould be ſo totally annihilated by an incident in *February*, as never to be opened in the *intermediate* period; is a ſuppoſition, infinitely abſurd in itſelf. That a remonſtrance circulated in *December*, ſhould not be heard of in its violent progreſs through the kingdom, during the whole of *January* and a part of *February*, merely becauſe ſomething more violent happened *afterwards*; is a ſuppoſition, charged (if poſſible) with ſtill greater abſurdity. The remonſtrance and the commiſſion, indeed, might well not be traceable in their effects, becauſe they never exiſted. They never exiſted, any more than Knox's circular letter, or Knox's anecdote of the archbiſhop. They ſhow they did not, by being equally un-traceable with them, in the incidents of the times. And they all appear merely as ſo many meteors, that have been kindled in the hot element of a forger's brain, and have there ſhot their courſe, inviſible to the world.

At this very period truly, when the Queen is ſaid to have revived the juriſdiction of the archbiſhop, and the aſſembly is ſaid to have ſupplicated the privy council againſt it; the privy council, the archbiſhop, and the Queen, were all at *Stirling* together. They were all aſſembled there, for the baptizing of the young prince. There the Queen and the privy council appear convened together, on the 21ſt of December and on the 10th of January *. And the aſſembly's ſupplication to the privy council, which was drawn up on the 27th of December, and was to be carried to Stirling in order to be preſented to them, ſhould in common-ſenſe have been a ſupplication to the Queen herſelf, who was there with them. The archbiſhop too was at Stirling on the 17th of December, and there baptized the young prince upon that day †. There he ſtayed with the Queen, no doubt, during all the feſtivity. He had aſſuredly attended her to Stirling, and now returned with her to Edinborough; as he certainly attended her a few days afterward, from Edinborough to Glaſgow, and from Glaſgow again to Edinborough ‡. He *then* attended her, as the firſt letter aſſures us, with "all the Hammiltounis §;" being a Hamilton himſelf. With "all the Hammiltounis," therefore, he waited upon her to Stirling at firſt, on the 7th or 8th of December. With "all the Hammiltounis," he equally eſcorted her to Edinborough afterwards, on the 14th of January. With "all "the Hammiltounis," he ſet off again in attendance upon her for Glaſgow, on the 21ſt. And, with "all the Hammiltounis," he alſo conducted her back on the 30th *. "Hence he is ſaid by the *hiſtorical* Knox, to have come "to Edinburgh in "*January*, having *a cumpany of one hundred horſes* "*or more*." He came evidently with ſuch a train, not to open a commiſſion, if he had had one; but to eſcort his Sovereign. He came with the Queen. He went away with the Queen. He returned with the Queen. Nor, even if he had had a commiſſion, and even if he had come to open it, would the city in ſuch circumſtances have applied to *him* to deſiſt. They would not even have applied, like the aſſembly, to that privy council in which their informer Murray ſat on the 10th at Stirling †, and with which and the Queen, no doubt, he returned to Edinborough on the 14th. No! They would have applied, as Knox in his circular letter propoſes to apply, to the very Queen; becauſe ſhe was equally at Edinborough with the archbiſhop, and becauſe ſhe alone could revoke the commiſſion, that ſhe had granted him.

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* Keith, 562 and 570. † Goodall, i. 320. ‡ Buchanan's Admonition, 3, Ruddiman, ii.; and Detection, 65, Anderſon, ii.; Jebb, i. 259. § Section xxx—ii.

V.

So plainly ſpurious do all theſe accounts appear, in every light of hiſtory or of common-ſenſe, by which we can view them. But I now haſten to the grand and fundamental point of all, the revived juriſdiction of the archbiſhop. This I have already ſhown to be abſolutely falſe in fact. And I ſhall now ſhow it again, with an addition of evidence.

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* Keith, pref. vii. and rebel journal.

† Keith, 570.

When preſbyterianiſm firſt fixed itſelf in Scotland, by thoſe arts of fraudulence and by thoſe deeds of violence, which ſo ſhamefully mark its earlieſt hiſtory there; it had only a very imperfect ſort of eſtabliſhment for years. The biſhops ſtill remained as preſidents in the church. The biſhops ſtill continued as peers in parliament. This we ſee at a glance, on the rolls of the very laſt parliament, which Mary ever ſummoned. It met on the 14th of April 1567, and was diſſolved on the 19th. Then, ſay the rolls of it, "Archiepiſ. Sancti "Andreæ, Epiſ. Dunkeldenſis, Ep. Candidæ Ca-"ſæ, Ep. Dumblanenſis, Ep. Brechinenſis, Ep. "Orchadenſis, Ep. Sodorenſis, Ep. Abirdonenſis," and "Ep. Roſſenſis," attended as the firſt eſtate of the whole *. Nor were they, we may be ſure, deprived of their ſubordinate privileges; when they thus retained their principal honours. In fact, they equally retained their ſubordinate too. And they particularly held their courts, as before. Accordingly we ſee the very kirk-aſſembly of the preſbyterians, in the beginning of July 1562, entering this reſolution on their books: "anent the *action* "of DIVORCEMENT, it was thought good to make "ſupplication to the ſecret counſell, that *either* "they TRANSFERRE the JUDGMENT OF DIVORCE-

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* Anderſon, i. 113.

"MENT TO THE KIRK AND THEIR SESSIONS, *or* "ellis," &c.* The judgment of DIVORCES, therefore, ſtill remained with the biſhops, even in July 1562. In conſequence of that, we ſee the aſſembly again on June the 26th 1563, appointing ſeveral perſons "to take cognitioun of Mr. Magnus "Haltra and Margaret Sinclair's *appellation*, from "THE BISHOP OF ORKNAY'S SENTENCE IN A "CAUSE OF DIVORCE †." On December the 28th following, the Queen appointed commiſſaries, in order to accelerate the deciſion of cauſes, that went on ſlowly in *the ſpiritual courts* before. In February 1566, we ſee the prothonotary, ſecretary, and datary of the archbiſhop, ſwearing witneſſes, taking depoſitions, and atteſting them "with his ſeal and "ſubſcription manual, as he was accuſtomed to do "in ſimilar caſes;" in order to ground upon them, a diſpenſation from Rome. In May 1567 alſo, we ſee the ſame court again hearing, taking down, and atteſting depoſitions; and finally pronouncing a ſentence of DIVORCE, from them. And, as Queen Mary ſays herſelf concerning this very divorce, in her authoritative inſtructions to her embaſſadour ſent into France, "the mariage with him, "the formar contract and band, was BE YE ORDOURE OF LAW, EXPRESSIT IN THE CANONIS, "RESSAVIT AND PRACTEYSIT IN THE REALME, "for lauchfull cauſs of CONSANGUINITIE, and "utheris relevant, diſſolvit;" or, as ſhe ſays again in her inſtructions to her embaſſadour ordered into

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* Keith, 515.

† Ibid. 524.

England, "BE YE LAWIS RESSAVIT WITHIN OURE "REALME, AND OFTTIMES PRACTISIT, as is NOTOUR ANEUCH, his former marriage was diſ"ſolvit,—for reſolute cauſis of CONSANGUINITIE "and utheris *."

We thus have a regular chain of evidence, for the continuation of the ſpiritual courts to the laſt, and for the forgery of Knox's tale concerning the archbiſhop and the provoſt, for the forgery of Knox's circular letter, and for the forgery of the aſſembly's ſupplication. Knox himſelf began the work of forgery upon this ſubject, in order to darken over the fair fame of Mary. Some genuine ſon of Knox followed him in the career of knavery, inſerted the order and the ſupplication in the regiſter of the aſſembly, and ſo impoſed upon Spotſwood. Not content with both, Calderwood advanced ſtill farther in the liſts of baſeneſs, and fabricated the circular letter for Knox; taking frequently the very words of the aſſembly's ſuppplication, ranging in a higher courſe with them, ſo doubling one forgery upon another, and heightening both into the very elevation of abſurdity. But not acting upon one uniform plan, and ſtanding all at ſome diſtance from the period meant by all; they encounter, they contradict, and they overthrow each other. And they have thus left at laſt, one of the moſt ſingular monuments in exiſtence, of the bold genius of Scotch preſbyterianiſm, for the firſt century of its appearance in the world;

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* Anderſon, i. 100—101, and 106—107.

of its dreadful eagerneſs to calumniate the higheſt worth, that accidentally oppoſed its progreſs; and of its horrible readineſs, to call in the moſt accurſed forgeries to its aid *.

N° XVI.

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* “These things,” ſays Spotſwood in the *MS.* copy of his hiſtory, concerning ſome praiſes beſtowed by him upon the Queen Dowager, “I have heard my father often affirm, whoſe teſtimony deſerved credit: and have many times received the like from an honourable and religious lady, who had the honour to wait near her perſon, and often profeſſed to me, that the Queen-Regent was much wronged in John Knox his ſtory. The author, whoſoever he was (for I am perſwaded it was none of Knox his writings), in his whole diſcourſe ſheweth a bitter and hateful ſpite againſt her, FORGING diſhoneſt things WHICH WAS NEVER SO MUCH AS SUSPECTED BY ANY,” &c. (Keith, App. 89, and the two laſt clauſes in the *printed* copy, 146—147).

“This good prelate,” ſays Keith upon the paſſage, “has elſewhere aſſigned his reaſons why this book could not be written by John Knox.” He has aſſigned them in p. 267, where his only reaſon is a ſuppoſed anachroniſm; the hiſtory referring in one place to Fox's Book of Martyr's, “which came not to light [till] ſome ten or twelve years after Mr. Knox his death.” But this argument is refuted clearly by Nicholſon, in his Scottiſh Library: as “there was an edition of that work in Latin at Straſburg in 1554, and another at Baſil in 1559, both which were long before Knox's death; tho' the firſt Engliſh edition (in 1583) was indeed about a dozen years after it” (190, edit. 1ſt). Thus, as Keith goes on to remark upon Spotſwood, “theſe reaſons” of his “are now, without all controverſy, found to be groundleſs. Beſides, Mr. Knox's friends are at the utmoſt pains, to ſecure to him the right of his labours in penning this work. And it is ſurely a matter beyond all farther doubt” (Keith, App. 89).

“However,” continues Nicholſon, “it muſt be confeſſed, that, tho' this argument will not hold good, yet there are

“ ſome

Nº XVI.

SECRETARY DAVISON'S APOLOGY.

N. B. I have *numbered* the two parts of it, and broken each part into paragraphs.

I.

"ON Wedneſday the firſt of this preſent *, "about ten of the clock, came one of the

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"ſome other paſſages in it, which undeniably prove, that "ſome *later* perſon than Knox has made ſeveral interpolations, "which are now printed as parts of the original hiſtory. So "much is unanſwerably remarked by a late ingenious writer, "Preſ. to Fundament. Char. of Preſbyt." (p. 190). And theſe interpolations were made, either by Richard Bannatyne and his aſſiſtants, who were appointed by the kirk of Edinborough to continue Knox's hiſtory from his papers, and to carry it on from 1564, to which Knox himſelf had brought it down, to the time of his death in 1572 (Nicholſon, 191—192); or rather by David Buchanan, who publiſhed in 1644 the fifth book of the hiſtory, reaching to Auguſt 1567, and who is known to have interpolated the four books preceding (Knox, Life of the Author, xlvi—li). The forgeries before 1564, therefore, and thoſe particularly which relate to the Queen Dowager, are Knox's own; and thoſe *after* 1564, and this particularly concerning the archbiſhop, are moſt probably Knox's too, as derived from his papers.

* This ſhows the apology to have been written, immediately after the events. Mary was put to death on Wedneſday, the 8th of February 1586-7. And this apology appears from the words here, to have been written *before the month was expired*.

“ grooms *] of the chamber unto me, to let me
“ underſtand, that her Majeſty had called for [me
“ by my lord admiral, who was in the *] privy
“ chamber. I found his lordſhip there, who told
“ me the cauſe of my ſending for; having, firſt,
“ ſummarily diſcourſed unto me ſome ſpeech, that
“ had paſt that morning betwixt her Majeſty and
“ him, touching the execution of the Scotiſh Queen;
“ the concluſion whereof was, that ſhe would no
“ longer defer it, and therefore had commanded
“ him to ſend expreſsly for me, to bring the warrant
“ unto her †.

“ Whereupon returning to my chamber, I took
“ both that and divers other things, to be ſigned
“ for her ſervice; and, returning, ſent in Mrs.
“ Brooke to ſignify my being there, to her Majeſty;
“ who immediately called for me. At my
“ coming in, her Majeſty firſt aſking me, whether
“ I had been abroad that fair morning; adviſing
“ me to uſe it oftner; and reprehending me for
“ the contrary; finally demanded, what I had in
“ my hands. I anſwer'd, Divers warrants, and
“ other things, to be ſigned for her ſervice. She
“ enquired, whether my lord admiral had not ſent
“ for me, and whether I had not brought up the

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* * I have ſupplied the words within hooks, from Mackenzie's copy (ſee the end of this Diſſertation).

† This warrant appears from another and a more general apology by Daviſon, written evidently at a period of time much later, and when he had forgotten ſome of the minuter circumſtances; to have been by him “ retained—at the leaſt “ five or ſix weeks un-preſented, nor once offering to carry “ it up, till ſhe ſent,” &c. (Robertſon, ii. 482).

"warrant for the Queen of Scots*. I anſwer'd, "Yes; and thereupon, [ſhe] calling for it, I de-"liver'd it into her hands; after the reading "whereof, ſhe, calling for pen and ink, ſigned "it; and, laying it from her, aſked me, Whether "I were not heartily ſorry it was done? Mine "anſwer was, That I was ſorry a lady, ſo near in "blood to herſelf, and of her place and quality, "ſhould ſo far forget her duty both to God and "her Majeſty, as to give her this cauſe; but "ſithens this act of her Majeſty was, in all mens "opinions, of that juſtice and neceſſity, that ſhe "could not defer it without the manifeſt danger "of her perſon and ſtate, I could not be ſorry to

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* The other apology ſays, that he was "ſharply reproved" for not bringing the warrant before; "by a great peer, and "in her Majeſty's preſence" (Robertſon, ii. 482). Yet this cannot be wholly true. The preſent apology ſhows it cannot. And Daviſon's memory muſt have failed him here. It failed him thus, I apprehend. The "great peer" is the ſame, no doubt, who is called "the great counſellor" before, that was ſent to him about the warrant; and who was, we know from the preſent apology, the lord admiral. He had heard Elizabeth expreſs her anger, at Daviſon's not bringing up the warrant before; as ſhe had actually "given her commandment to "me," ſays Daviſon himſelf near the end of this preſent apology, "*many days before* to bring up the warrant unto her." He heard it. And he took upon him in conſequence of this, "ſharply" to "reprove" him "therefor." Only he did not do ſo, "in her Majeſty's preſence." It is plain, that he did not accompany Daviſon to the Queen. Daviſon went from him to his own apartments, there took the warrant, &c., ſent in Mrs. Brooke to the Queen, and then went in himſelf. And no one was preſent, it is plain, at the converſation that followed between the Queen and Daviſon.

"ſee her Majeſty take this courſe, of removing "the cauſe of that danger, which threatned the "one and the other: proteſting nevertheleſs, that, "for my own part, I was ſo far from thirſting "after the blood of that unhappy lady, that, if "there had been any other way to preſerve her "Majeſty and the ſtate from miſchief, than by "taking her life; I could not have wiſhed it. "But the caſe ſtanding ſo in the opinion of all "men, that either her Majeſty or ſhe muſt die; I "muſt confeſs freely, that I preferr'd the death of "the guilty before the innocent.

"After this, ſhe commanded me to carry it to "the ſeal; and to give my lord chancellor orders "from her, to uſe it as ſecretly as might be*; "and by the way to ſhew it to Mr. Secretary "Walſingham, becauſe ſhe thought the grief there"of would kill him outright, for ſo it pleas'd her "Majeſty to ſay of him†. This done, ſhe call'd "for the reſt of the warrants and other things I "had to ſign; and diſpatched them all, with the "beſt diſpoſition and willingneſs that might be; "in the mean time repeating unto me ſome rea-

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* The other apology ſays, that, when Elizabeth had ſigned it, ſhe commanded him "to carry it to the ſeal, and, being "ſealed, *to ſend it immediately away unto the commiſſioners*, ac"cording to the direction" (Robertſon, ii. 482). This is implied, in the direction for the chancellor here, and in the repeated direction to himſelf, to *uſe* it ſecretly.

† Walſingham was then *ſick*, as theſe words imply, and as Camden aſſerts (Orig. i. 465, and Tranſ. 393). In all probability he was only *crafty-ſick*, for reaſons that will appear hereafter.

“ ſons, why ſhe had ſo long deferred the matter, as namely for her honour's ſake, that the world might ſee ſhe had not been violently or maliciouſly drawn into it. She concluded, She was never ſo ill adviſ'd, as not to ſee and apprehend her own danger, and the neceſſity that ſhe had to proceed to this execution. And thereupon, after ſome other intermingled ſpeech here and there, ſhe told me, That ſhe would have it done as ſecretly as may be; and, miſliking that it ſhould be executed in the open court or green of the caſtle, expreſsly willed that it ſhould be done in the hall: which I take to be certain arguments, both of her meaning it ſhould be done, and in the form preſcribed in the warrant.

“ But, after I had gathered up my papers, and was ready to depart, ſhe fell into ſome complaint of Sir Amias Poulet and others, that might have eas'd her of this burthen; wiſhing me yet to deal with Mr. Secretary, and that we would jointly write unto Sir Amias and Sir Drue Drury, to ſound their diſpoſitions; aiming ſtill at this, that it might be ſo done, as the blame might be removed from herſelf. And tho' I had always before refuſed to meddle therein, upon ſundry her Majeſty's former motions, as a thing I utterly condemned; yet was I content, as I told her, for her ſatisfying to let Sir Amias underſtand, what ſhe expected at his hands: albeit I did before aſſure myſelf, it ſhould be ſo much labour loſt, knowing the wiſdom and integrity of the gentlemen, who, I thought, would

“ not do an unlawful act for any reſpect in the “ world. But finding her Majeſty deſirous to have “ him ſounded in this behalf, I departed from her “ Majeſty, with promiſe to ſignify ſo much unto “ Mr. Secretary, and that we would both acquaint “ Sir Amias with this her pleaſure. And here re-“ peating unto me again, that ſhe would have the “ matter cloſely handled, becauſe of her danger; “ I promis'd to uſe it as ſecretly as I could, and ſo “ for that time departed *.

“ That afternoon I repaired to my lord chancel-“ lor, where I procur'd the warrant to be ſeal'd; “ having in my way viſited Mr. Secretary, and

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* The other apology ſays, that Elizabeth “ in concluſion “ abſolutely forbad him, to trouble her any further, or let her “ hear any more hereof, till all was done” (Robertſon, ii. 482). But this cannot poſſibly be true, as a letter was to be written to Paulet about the aſſaſſination, and an anſwer to be returned, before the warrant was to be ſent away.

Camden's account of all this buſineſs is much more wrong. He makes Elizabeth ſend a *letter under her own hand* to Daviſon, commanding *a warrant under the great ſeal to be drawn up by him*; when the warrant was drawn up by Cecil, given by him “ with her Majeſty's own privity” unto Daviſon (Robertſon, ii. 481), kept by Daviſon five or ſix weeks, and then called for by Elizabeth as above. This, ſays Camden, was to lie in readineſs, if any danger ſhould chance to break out. But the reaſon is as ridiculous, as the fact is falſe. And ſhe, adds Camden, commanded him to acquaint no one with it; when ſhe actually told him to acquaint Walſingham, and when ſhe neceſſarily told him to acquaint the chancellor. See Orig. i. 455, and Tranſ. 382. Camden has here taken up for truths, the wretched falſhoods which Elizabeth obtruded afterwards upon the world, as a ſubterfuge for her guilt.

“ agreed with him about the form of the letter, “ that ſhould be written for her Majeſty's ſatisfying to Sir Amias Poulet and Mr. Drury, which “ at my return from my lord chancellor was diſpatch'd *. The next morning I received a

“ letter

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* The letter is thus entitled, “ a copy of a letter from Sir “ F. Walſingham and Secretary Daviſon to Sir Amias Poulet,” and runs thus.

“ After our hearty commendations, we find by ſpeech lately “ uttered by her Majeſty, that ſhe doth note in you both a “ lack of that care and zeal for her ſervice, that ſhe looketh “ for at your hands; in that you have not in all this time (of “ yourſelves without other provocation) found out ſome way “ to ſhorten the [life of *] that Queen; conſidering the great “ peril ſhe is hourly ſubject to, ſo long as the ſaid Queen ſhall “ live. Wherein, beſides a kind of lack of love towards her, “ ſhe noteth greatly, that you have not that care of your own “ particular ſafeties, or rather of the preſervation of religion, “ and the publick good and proſperity of your country, that “ reaſon and policy commandeth; eſpecially, having ſo good “ a warrant and ground, for the ſatisfaction of your conſciences “ towards God, and the diſcharge of your credit and reputation towards the world, as the oath of the aſſociation, which “ you both have ſo ſolemnly taken and vowed; eſpecially, the “ matter, wherewith ſhe ſtandeth charged, being clearly and “ manifeſtly proved againſt her. And therefore ſhe taketh “ it moſt unkindly, that men, profeſſing that love towards her “ that you do, ſhould in a kind of ſort, for lack of the diſcharge of your duty, caſt the burthen upon her; knowing, “ as you do, her indiſpoſition to ſhed blood, eſpecially of one “ of that ſex and quality, and ſo near to her in blood as the “ ſaid Queen is. Theſe reſpects, we find, do greatly trouble “ her Majeſty, who, we aſſure you, hath ſundry times proteſted, “ that, if the regard of the danger of her good ſubjects and

* I have ſupplied the words in hooks. The printed copy is without them. And, as the editor ſays, “ 'tis thus in the MS.”

“ faithful

" letter from Cranmer my ſervant, whom I left at " court, ſignifying unto me her Majeſty's pleaſure, " that I ſhould forbear to go to my lord chan- " cellor till I had ſpoken with her; and, within an " hour after, came William Killigrew with the like " meſſage from her; whom I return'd with this " anſwer, that I would be at the court as ſoon as " himſelf, and give her Majeſty an account of what " I had done. At my coming to her, ſhe aſked " me, Whether I had been with my lord chancel- " lor? I told her, Yes. She demanded, what need- " ed that haſt? I anſwered, That I had done no " more than ſhe commanded, and thought it no " matter to be dally'd withal. But, ſaith ſhe, me- " thinks the beſt and ſafeſt way for me, is to have it

" faithful ſervants did not more move her than her own peril, " ſhe would never be drawn to aſſent to the ſhedding of her " blood. We thought it very meet to acquaint you with theſe " ſpeeches, lately paſſed from her Majeſty; referring the ſame " to your good judgment. And ſo we commit you to the pro- " tection of the Almighty.

" Your moſt aſſured friends,
" Fra. Walſingham.
" William Daviſon."

" At London, 1 Febry.
" 1586."

" To the Right Honourable
" Sir Amias Poulet, Kt. one
" of her Majeſty's moſt Ho-
" nourable Privy Council."

This letter, which ought to be preſerved, as an eternal monument of the inſidious ſavageneſs of the writer, Walſingham, and of the ſuggeſter, Elizabeth, was " found amongſt Sir Amias " Poulet's writings," thus indorſed by Sir Amias, " this letter " was received at Fotheringay the 2d of February at 5 in the " afternoon."

“ otherways handled; particularizing a form, that, “ as ſhe pretended, liked her better; naming unto “ me ſome that were of that opinion, whoſe judg- “ ment ſhe recommended, I anſwered, that I took “ the honourable and juſt way to be the beſt and “ ſafeſt way, if ſhe meant to have it done at all. “ Whereto her Majeſty, replying nothing for that “ time, left me, and went to dinner *.

“ Within a day or two after, her Majeſty, being “ in the privy chamber, call'd me unto her; and “ ſmiling told me, how ſhe had been troubled that “ night with me, upon a dream ſhe had that the “ Scots Queen was executed; pretending to have “ been ſo troubled with the news, as, if ſhe had “ had a ſword, ſhe could have run me through. “ But this being delivered in a pleaſant and ſmiling “ manner, I anſwered her Majeſty, that it was good “ for me I was not near her, ſo long as that hu- “ mour laſted. But, taking hold of her ſpeech, I

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* How a man, who could talk in this ſtrain of probity to Elizabeth, ſhould ever have become one of her ſecretaries of ſtate; muſt excite ſurprize in us. Camden's account is very remarkable. “ Thus was Daviſon,” he ſays a few weeks beyond this period, “ a man of good ingenuity, but not well “ ſkilled in court-arts, brought upon the court-ſtage *of purpoſe* “ (as *moſt* men thought) to act for a time *this* part in the tra- “ gedy; and ſoon after, the part being acted, and his ſtage- “ attire laid aſide, as if he had failed in the laſt act, he was “ thruſt down from the ſtage, and, not without the pity of “ many, ſhut up a long time in priſon.” He was alſo fined ten thouſand pounds, ſentenced to priſon during Elizabeth's pleaſure, and “ *never* recovered” her favour, “ though ſhe “ ſometimes relieved his wants” (Orig. i. 465, Tranſ. 392).

“ aſk'd her Majeſty in great earneſt, what it meant,
“ and whether, having proceeded thus far, ſhe had
“ not a meaning to go forward with the execution?
“ Her anſwer, confirmed with a ſolemn oath, in
“ ſome vehemency, was Yes: but ſhe thought it
“ might receive a better form; becauſe, ſaith ſhe,
“ this caſteth the whole burthen upon myſelf.
“ Whereunto I replied, that the form preſcribed
“ by her warrant was what the law required, and
“ the only form that was to be kept in honour and
“ juſtice. She anſwered, that there were wiſer
“ men than myſelf of another opinion. I told her,
“ that I could not anſwer for other men; but this
“ I was ſure of, that I never heard any man give a
“ ſound reaſon, to prove it honourable or ſafe for
“ her Majeſty, to take any other courſe than that,
“ which ſtandeth with law and juſtice. And ſo,
“ without further replication or ſpeech, her Majeſty
“ roſe up, and left me [*].”

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[*] The day, here meant by the words “ within a day or two “ after,” was the *very next* day, *Thurſday*. In the other apology Daviſon ſays, that he kept the warrant after it was ſealed, which was ſealed in the afternoon of *Wedneſday*, “ all that “ night, and *the greateſt part of the next day*, in his hands; “ *brought it back with him to the court*, acquainted her Majeſty “ *withal*, and, finding her Majeſty *reſolved* to proceed therein, “ according to her former directions, and yet deſirous to carry “ the matter ſo, as ſhe might *throw the burthen from herſelf*, “ he abſolutely reſolved to quit his hands thereof: and hereupon “ went over unto the lord treaſurer's chamber, together “ with Mr. Vice-chamberlain Hatton, and in his preſence “ reſtored the ſame into the hands of the ſaid lord treaſurer, “ of whom he had before received it; who from thenceforth “ kept it, till himſelf and the reſt of the council ſent it

“ away”

“ The ſame afternoon, as I take it, ſhe aſk'd me, whether I had heard from Sir Amias Poulet? I told her, No. But within an hour or two after, going to London, I met with letters from him, in anſwer to thoſe were written to him by Mr. Secretary and myſelf *.

“ The

“ away” (Robertſon, ii. 482). These two paſſages ſerve each to correct the other. He did not deliver up the warrant to Cecil, *the day after it was ſigned*, that is, *Thurſday*, in the *afternoon*, and *juſt* after he had been with Elizabeth. On *Thurſday* he was with her in the *morning*. Nor was it “ a day or two “ after” Thurſday, when he ſaw Elizabeth for the *third* time concerning the warrant and the great ſeal. It was only only *the very day* after it, *Friday*. This is plain from the nature of the converſation which paſſed, and from the ſending away of the warrant after it. In *that* converſation, as in *this*, ſhe declared herſelf *reſolved* to proceed with putting Mary to death, and yet wanted to *throw the burden off from herſelf*. This fixes both to be the ſame. *After* the converſation, he gave the warrant to the lord treaſurer, and *that very evening* the lord treaſurer ſent it away; Beale, the bearer of it, reaching the Earl of Kent's near Fotheringay-caſtle *the very next* day, that is, *Saturday*, with the warrant, &c. in his pocket (Robertſon, ii. 475).

* It was *certainly* “ the ſame afternoon,” the afternoon of *Friday*. The letter from the two ſecretaries, and an additional letter from Daviſon alone, are both dated on the *firſt* of February, which was *Wedneſday*. They were received at Fotheringay-caſtle, as we ſee in a note above, “ the *ſecond* of February at five in the afternoon.” Paulet's anſwer, as we ſhall ſoon ſee, was dated “ the *ſecond* of February” too, and “ at ſix in the afternoon.” And it would reach London, in the afternoon of the *third*, that is, of *Friday*. The letter arrived accordingly on *Friday*. Daviſon ſhowed it to Walſingham of courſe, immediately. It came directed to Walſingham, though it was received by Daviſon. He alſo communicated the contents of it, to Cecil and others of the council. It was *then*

reſolved

“ The next morning having acceſs to her Majeſty upon ſome other occaſion, I told her that I had letters from Mr. Poulet; which her Majeſty deſiring to ſee, took and read *. But finding thereby,

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reſolved by them, to wait no longer, but ſend off the warrant by Beale that evening. This appears from the preſent apology, and a fact mentioned before. On the *Tueſday* following, ſays Daviſon, “ knowing what order had been taken by my lords, in ſending the commiſſion to the earls, I anſwered” &c. Afterwards he ſays alſo, “ as for my proceeding therein with the reſt of my lords,” &c. And the warrant, as I have ſhowed before, reached one of the earls on *Saturday* evening.

* This letter alſo has been luckily preſerved, being alſo “ found amongſt Sir Amias Poulet's writings,” and thus entitled and copied by him.

“ A copy of a letter to Sir Francis Walſingham of the 2d of February 1586, at ſix in the afternoon, to the [in] anſwer of a letter from the ſaid Sir Francis of the firſt of February 1586, received at Fotheringhay the ſecond day of the ſaid month at five in the afternoon.”

“‘ Sir,

“‘ Your letters of yeſterday coming to my hands this preſent day at five in the afternoon, I would not fail, according to your direction, to return my anſwer with all poſſible ſpeed; which I ſhall deliver unto you with great grief and bitterneſs of mind, in that I am ſo unhappy to have liven to ſee this unhappy day, in which I am required, by direction from my moſt gracious Sovereign, to do an act which God and the law forbiddeth. My goods, livings, and life are at her Majeſty's diſpoſition; and I am ready to loſe them this next morrow, if it ſhall ſo pleaſe her; acknowledging that I hold them as of her mere and moſt gracious favour, and do not deſire to enjoy them, but with her Highneſs's good liking. But God forbid, that I ſhould make ſo foul a ſhipwreck of my conſcience, or leave ſo great a blot to my poor poſterity, to ſhed blood without law and warrant; truſting that her Majeſty

“ thereby, that he was grieved with the motion made unto him, offering his life and all he had to be diſpoſed by his [her] Majeſty, but abſolutely refuſing to be an inſtrument, in any ſuch action as was not warranted in honour and juſtice; her Majeſty, falling into ſome terms of offence, complaining of the daintineſs, and, as ſhe term'd it, perjury, of him and others, who, contrary to their oath of aſſociation, did caſt the burthen upon herſelf; ſhe roſe up, and, after a turn or two, went into the gallery; whether I followed her. And there [ſhe] renewed her former ſpeech; blaming the niceneſs of thoſe preciſe fellows, who in words would do great things for her ſafety, but in deed perform nothing: and concluded, ſhe would have it done without them. And here, entring into particularities, [ſhe]

“‘ Majeſty of her accuſtomed clemency, and the rather by your good mediation, will take this my dutiful anſwer in good part, as proceeding from one who will never be inferior to any Chriſtian ſubject living, in duty, honour, love, and obedience towards his Sovereign. And thus I commit you to the mercy of the Almighty.

“‘ Your moſt aſſured poor friend,
“‘ A. Poulet.’”

“‘ From Fotheringhay
“‘ 2d of February,
“‘ 1586.’”

“‘ Your letters, coming in the plural number, ſeem to be meant as well to Sir Drue Drury, as to myſelf; and yet becauſe he is not named in them, neither the letter directed unto him, he forbeareth to make any particular anſwer, but ſubſcribeth in heart to my opinion.’”

“‘ D. Drury.’”

" named unto me, as I remember, one Wingfield, " who, ſhe aſſured me, would with ſome others " undertake it *. Which gave me occaſion to " ſhew unto her Majeſty, how diſhonourable in my " poor opinion any ſuch courſe would be, and how " far off ſhe would be from ſhunning the blame " and ſtain thereof, which ſhe ſo much ſought to " avoid: and here, falling particularly into the caſe " of Sir Amias Poulet and Sir Drue Drury, told " her; that it was a marvellous extremity, ſhe " would have expoſed theſe gentlemen unto. For " if, in a tender care for her ſurety, they ſhould " have done that ſhe deſired; ſhe muſt either allow " their act, or diſ-allow it. If ſhe allowed it, ſhe " took the matter upon herſelf, with her infinite " diſhonour. If ſhe diſallow'd it, ſhe overthrew " theſe faithful gentlemen, who, ſhe knew, did " truly and faithfully love her; and not only them-" ſelves, but their eſtate and poſterity. And " therefore [I] thought this, a dangerous and diſ-" honourable courſe, both for herſelf and them. " And ſo, after ſome particular ſpeech of Mr. Se-" cretary and others, touching ſome matters paſt " heretofore †; her Majeſty, calling to underſtand, " whether

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* This Wingfield is perhaps the Robert or John Wingefield, " that aſſiſted at Mary's execution (Robertſon, ii. 478).

† What this means, is too plain from *the very obſcurity* of it. But it may be made *more diſtinctly viſible*, by ſome obſervations. In 1586 Mary ſays at her trial, a few months only before this period, as I have noted in the body of the work; that " *Wal-" ſingham*,—as ſhe heard, had practiſed both againſt *her life* and " her

“ whether it were time to go to the cloſet, broke “ off our diſcourſe *.

“ At

“ her ſon's” (Camden, Orig. i. 424, Tranſ. 355). In May 1587 an Engliſhman was ſeized in Scotland, as I have equally noted before, “ who was ſent into Scotland on purpoſe, to *poiſon* the “ King's Majeſty, or to *take him away by ſome indirect means*; “ it was ſaid at the time, that he was induced thereto, by the “ *Queen of England* and her *council*” (Moyſe, 128). But let me add ſome things concerning *Leiceſter*. Fuller ſays of Sir Nicholas Throgmorton, that he died in 1570 “ at ſupper, eating “ of ſallad, not without ſuſpicion of *poiſon*; the rather becauſe “ *hapning in the houſe* of one *no mean artiſt in that faculty*, R. “ *Earl of Leiceſter*” (Baronettage, ii. 358, edit. 1741). Camden alſo, a ſtill better authority, ſays of *Leiceſter*, that he was ſuſpected of *poiſoning* Walter Earl of Eſſex in 1576; and that “ the ſuſpicion was increaſed by *Leiceſter*'s preſently putting “ away Douglas [Baroneſs Dowager of] Sheffield with money “ and fair promiſes (whether his paramour or his wife, I cannot ſay), on whom he had begotten a ſon, and now *more* “ *openly* making love to Lettice, Eſſex his widow, to whom afterwards he joyned himſelf in — matrimony” (Orig. i. 264, Tranſ. 217—218). Leiceſter too, ſays Aubrey in his Berkſhire, i. 149, “ preſcribed to Sir Richard Varney, a promoter “ to this deſign” of murdering his firſt wife, “ at his coming “ hither,” to Cumner, “ that he ſhould firſt attempt to *poiſon* “ her.” A like attempt appears to have been equally made upon his ſecond wife, Lady Sheffield; “ for it is certain,” ſays Dugdale in his Warwickſhire, p. 167, “ that ſhe had *ſome* “ *ill potions* given her, ſo that, with the loſs of her hair “ and nails, ſhe hardly eſcaped death” (General Biog. Dict. 1784, DUDLEY). And Camden adds in 1586, when Elizabeth was conſidering the mode of putting Mary to death, that “ *Leiceſter* thought rather by *poiſon*, and ſent a divine privately to Walſingham, to ſatisfie him — it was lawfull” (Orig. i. 413, Tranſ. 346). Such an infernal villain was Leiceſter, and ſo worthy to be the mate of Elizabeth!

* That Daviſon ſhould have allowed himſelf to talk, in this

higher

“ At my next acceſs to her Majeſty (which, I
“ take it, was Tueſday, the day before my coming
“ to

higher ſtrain of probity to Elizabeth; is an evidence of what Camden has ſaid of him, that he was “ a man not well ſkilled “ in court-arts.” Yet he was not an honeſt man. He had been too long one of Elizabeth's miniſters, to be honeſt. And he actually appears *not* to have been ſo, from other parts of his converſation with Elizabeth, and from a couple of letters which he wrote *ſingly* to Paulet. In the firſt of them, which appears from the date as well as the ſubject, to have been ſent along with the extraordinary letter before, for the aſſaſſination of Mary; he writes in this ſtrain to Paulet.

“ An abſtract of a letter from Mr. Secretary Daviſon of the “ ſaid firſt of February 1586, as followeth.”

“‘ I pray you, let both this and the incloſed be committed “‘ to the fire; which meaſure ſhall be likewiſe met [meted] “‘ to your anſwer, after it hath been communicated to her “‘ Majeſty for her ſatisfaction.’”

But, not content with this, he wrote a poſtſcript to another letter, exactly in the ſame ſtrain. This letter and poſtſcript appear equally from the ſubject and date, to have been written immediately after the receipt of Paulet's anſwer, at the very moment of ſending off the warrant by Beale, and before Daviſon had yet ſhewn Paulet's anſwer to Elizabeth.

“ A poſtſcript in a letter from Mr. Secretary Daviſon of the “ third of February 1586.”

“‘ I intreated you in my laſt letters, to burn both the letters “‘ ſent unto you, for the argument's ſake; which, by your “‘ anſwer to Mr. Secretary (which I have ſeen), appeareth “‘ not to be done. I pray you let me intreat you, to make “‘ hereticks both of th' one and th' other, as I mean to uſe “‘ yours after her Majeſty hath ſeen it.’”

“ In the end of the poſtſcript.”

“‘ I pray you let me know, what you have done with my letters, becauſe they are not fit to be kept; that I may ſatisfy “‘ her Majeſty therein, who might otherwiſe take offence

“‘ thereat:

" to court), having certain things to be ſign'd;
" her Majeſty entered of herſelf into ſome earneſt
" diſcourſe, of the danger ſhe daily liv'd in, and
" how

"" thereat: and, if you intreat this poſtſcript in the ſame kind,
"" you ſhall not err a whit.'"

" A. Poulet. " D. Drury."

Daviſon thus ſhows his conſcious knavery, by his lively apprehenſiveneſs. He had been long in the ſchool of knavery, and had neceſſarily learnt ſome of its leſſons. Yet he appears from the converſation in the text here, and from another before, to have not been entirely tainted in his principles by it. He was therefore *worthy* to be brought forward, by a conſpiracy betwixt Elizabeth and her more flagitious miniſters, in order to be ſacrificed for thoſe remains of honeſty about him, which were ſuch a diſgrace to the ſchool and its preceptreſs; to be ſacrificed by *them*, for his incongruous acting with them; to be ſacrificed by *her*, for his yet un-ſubdued relicks of honour in his converſation with her; and to become the grand ſcape-goat of both, on whoſe head were laid all the enormities of both, and by whom they were all ſuppoſed to be carried away for ever.

Let me only obſerve in addition to this, that Daviſon appears to have actually burned *their* letter; and, had they burned his and Walſingham's, and not kept a copy of their own, we had loſt ſome valuable monuments of the time; that Daviſon, but not Walſingham, had the honeſt timorouſneſs of conſcience, to wiſh to ſuppreſs the letter concerning the recommended aſſaſſination of Mary; and that he was *very* anxious to ſuppreſs it. The much more knaviſh Walſingham never thought of this. The lamp of conſcience was no longer burning, in the boſom of the latter. It was in that of the former. And yet it was burning ſo tremulouſly there, that he wiſhed to have the guilty letter deſtroyed, when to deſtroy could not hide it from the eye of God. He reflected not in the hurry of his apprehenſions, that, could he bury it under the foundations of the earth, yet the day was coming, in which thoſe very foundations

" how it was more than time this matter were diſ-
" patched; ſwearing a great oath, that it was a
" ſhame for them all it was not already done; and
" therefore ſpake unto me, to have a letter writ-
" ten, for the diſpatch thereof, becauſe the longer
" it was deferr'd, the more her danger encreas'd.
" Whereto, knowing what order had been taken
" by my lords, in ſending the commiſſion to the
" earls; I anſwer'd, that there was no neceſſity, as
" I thought, of ſuch a letter, the warrant being ſo
" general and ſufficient as it was. Her Majeſty
" reply'd little elſe, but that ſhe thought Mr. Pou-
" let would look for it *.

II. And

foundations would be overturned, and, then peculiarly, would

murderous deeds ariſe,
Though all the earth o'erwhelm'd them, to mens eyes.

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* From theſe words above, " at my next acceſs to her Ma-
" jeſty, which, I take it, was Tueſday, the day before *my*
" *coming to court,*" and from theſe words ſoon afterwards,
" until the hour of *my departure from court,*" as uniting to mark the concluding period of all his ſtory; it appears, that Elizabeth rated him very harſhly on *Wedneſday*, the day ſo ſtrongly marked, as the well-known " day of his coming to " court" and " of his departure from it;" on account of the warrant, ordered away the Friday evening before, for the execution of Mary. On this very Wedneſday was ſhe executed. Elizabeth had now been apprized, that the warrant was ſent away. It was high time to apprize her; though her ſigning the warrant was a ſufficient juſtification in itſelf, for ſending it away. And, in her uſual tergiverſation of conduct, ſhe choſe to forget all her converſation of *the very day before*; her " earneſt diſcourſe of the danger ſhe daily liv'd in," her declaration, that " it was more than time this matter were diſ-

II.

“ And this, as near as I can poſſibly remember, “ is a faithful and true report of the whole ſubſtance, of that hath paſt betwixt her Majeſty and “ me, from the day of ſigning the warrant, and “ commandment given to me to carry it to the ſeal, “ until the hour of my departure from court. In

“ all

“ patched;” her “ ſwearing a great oath, that it was a ſhame “ for them all it was not already done;” and her “ ſpeaking “ unto Daviſon” himſelf, “ to have a letter written to Mr. “ Poulet for the diſpatch thereof, becauſe, the longer it was “ deferr'd, the more her danger encreas'd.” She now cenſured him for *not* “ deferring” the execution longer, for *averting* this “ increaſing danger,” for *removing* the “ ſhame” from “ them all,” and for doing *that* which “ it was more than “ time” had *then* been done *already*. But ſhe ſo cenſured him not, till ſhe was ſure the execution had already taken place, or would irrevocably take place in a few hours afterward.

Yet, what ſhows ſtill more the artifice of the whole, ſhe cenſured him *excluſively*. She here does ſo at firſt, we ſee. She did ſo afterwards, and to the laſt. Indeed ſhe alſo expreſſed her anger intermediately againſt the council in general. She iſſued a commiſſion, “ for their calling to the Star-chamber “ for the ſame.” But ſhe afterwards iſſued another, for their “ private appearance—, inſtead thereof, before the lord “ chancellor Bromley” (Robertſon, ii. 482—483). Then, by another touch of mildneſs to *them*, *juſt after* the trial of Daviſon was *over*, “ Wray, lord privy ſeal, ſignified” in court, “ That albeit the Queen had been offended (and that “ not without juſt cauſe) with her council, and had thereupon “ left them to examination; yet *now* ſhe *forgave them*, and “ withall *acknowledged*, that *they* had been *very carefull and diligent* in their actions and counſels, for the *preſervation* of

“ *religion*

" all which I muſt proteſt unfeignedly before God,
" that I neither remember any ſuch commandment
" given me by her Majeſty, as is pretended; neither
" did

" *religion* and the *commonwealth*, and for *preventing of all dangers*" (Camden, Orig. i. 464—465, Tranſ. 392). And ſhe centered all her reſentment on the ſingle head of Daviſon.

But what is Daviſon pretended to have done? He had given up the warrant, now *ſigned* and *ſealed*, to that very lord treaſurer Cecil, who drew it up originally, and who had given it to him *for her ſigning*; when he had been ſent at the ſigning, by the Queen's own expreſs orders, to carry it to the lord chancellor *for his ſealing*. He had not given it up, however, till *an anſwer had been received from Paulet*; and till Elizabeth, *poſteriourly* as well as previouſly to her order for a letter to Paulet, had charged him, and had charged the chancellor by him, to *uſe* it with all poſſible ſecreſy.

Yet Camden, impoſed upon by the hypocriſy of Elizabeth, ſays that Daviſon " acquainted the council with the warrant " and the whole matter, and eaſily *perſuaded* them,—that the " Queen had commanded it ſhould be executed." Daviſon however gave not up the warrant to the council, and called not a council at all. He gave the warrant to Cecil. Cecil called the council. And Cecil produced the warrant to them. But, as Camden adds, " ſhe at that very time told Daviſon, that ſhe " would take another courſe with the Queen of Scots" (Orig. i. 445, Tranſ. 382). Cecil accordingly made a confeſſion, which, in the looſe and arbitrary modes of proceeding uſual with Elizabeth, was produced in court againſt Daviſon, inſtead of a perſonal teſtimony from Cecil; and which averred, that Cecil " doubting whether the Queen had abſolutely re" ſolved to have execution done, Daviſon confidently affirmed " it" (Camden, Orig. i. 462, Tranſ. 390). And as Daviſon was arraigned for ſending away the warrant, when Elizabeth " never intended that the Queen of Scots — ſhould have been " put to death;" ſo Elizabeth, in her letter immediately afterwards, to Mary's ſon, called her death " this lamentable

" accident,

“ did I ever conceive ſuch an intent or meaning in her. And that mine innocency herein may the better appear, let it be conſidered, firſt, what the commandment is, and next, upon what conſideration it was grounded.

“ The commandment (as I underſtand it) hath two parts; one, that I ſhould conceal it from the reſt of her Majeſty's council; another, that I ſhould retain it by myſelf until ſome tumultuous time, as a thing her Majeſty meant not otherwiſe to put in execution: both which I

“ accident, which is happened contrary to my meaning and “ intention,” and “ which, ſince my pen trembleth to mention “ it, you ſhall fully underſtand by this my kinſman” (Camden, Orig. i. 461 and 460, Tranſ. 389 and 388). Yet, all the while, not Daviſon, but the council, ſent the warrant away; and the council ſent it, only in conſequence of Cecil's reſignation of it, to them or to their clerk, Beale.

All therefore makes up the boldeſt ſcene of hypocriſy, that was ever exhibited to the world. We peculiarly know it to be ſo, from this apology. Elizabeth meant, and always meant, the death of Mary. She particularly declared ſo, only the day before her execution. Nor was there any need of Daviſon's atteſting to Cecil, that ſhe meant to have the warrant executed. Cecil knew this ſufficiently before. The very ſigning of the warrant, alſo, proved this deciſively. Nor was Daviſon falſe in atteſting, *if he did atteſt*, her meaning from his own knowledge. Elizabeth had declared over and over again, that ſhe meant to have it *uſed*. She had repeatedly ordered it to *be* uſed with ſecreſy. She had even gone on for that reaſon, to forbid the open court, and to point out the hall, for the place of execution. And though ſhe had intimated to Daviſon, that “ ſhe would take another courſe with the Queen of Scots;” yet we, who know that courſe to have been *aſſaſſination*, can only execrate her the more for it.

" muſt in all duty and humbleneſs, under her moſt " gracious favour *, abſolutely deny †.

" And, for the firſt, I truſt her Majeſty, in her " princely and honourable nature, will not deny *,

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* Theſe paſſages ſhow clearly, that this apology was intended to be ſeen by Elizabeth. Such an intention adds much to its credit. And it naturally ſuggeſts to us, that Daviſon has rather *ſoftened* than exaggerated ſome particulars in his narrative.

† Yet Camden makes Daviſon on his trial to allow, " That, " when the Queen blamed him for making ſuch haſte, to get " the warrant under the great ſeal [to have the warrant paſſed " under the great ſeal], ſhe gave ſome ſignification, but not " expreſs command, that he ſhould keep it in his own hands" (Orig. i. 462, Tranſ. 390). This acknowledgment, if at all true in itſelf, can refer only to the converſation on *Thurſday* morning, and to *the hint of aſſaſſination by others*, then given. But Daviſon could not explain the hint to the court. This we ſee ſtrikingly exemplified, in one part of his trial. Then " Egerton, the Queen's ſolicitor," ſays Camden, " began to " preſs Daviſon with his own confeſſion," one different from this apology, and equally from that in Dr. Robertſon's Appendix (ii. 480) ; " reading a piece thereof. But Daviſon prayed " him to reade the whole, and not parcels picked out here and " there: but *he had rather*, he ſaid, *it ſhould not be read at all*; " becauſe *there were contained in it ſome ſecrets, not fit to be di-" vulged abroad*" (Orig. i. 462, Tranſ. 390). And, while Elizabeth preſumed to tell the boldeſt lies, and was believed in all that ſhe ſaid, *which was the whole evidence, that could be brought againſt Daviſon*; he durſt not ſpeak the truth, in his own vindication. She thus took advantage equally, of his timorous delicacy, of her own confidence in falſhoods, and of the mean ductility of the judges, to ruin him entirely. He had refuſed to concur with her, in her plot of aſſaſſination. He had preſumed to remonſtrate with her, againſt it. He had preached up honour and conſcience to her. And ſhe was reſolved to chaſtiſe the monitor and the man.

" but that ſhe firſt ſent for me by my lord admiral, to bring the warrant unto her; which " proveth that his lordſhip was acquainted with " her purpoſe: and next, that ſhe gave expreſs " word, both to carry it forthwith to the ſeal, with " a meſſage to my lord chancellor, who conſequently muſt be acquainted with all; and alſo, " by the way, to impart it to Mr. Secretary. So " as, theſe three being made privy unto it by her " good liking, and myſelf, as I ſay, not reſtrained " to the contrary, by any ſuch commandment as " is pretended; what reaſon had I to conceal it " from my lord treaſurer, to whom my lord admiral had firſt imparted it, or from my Lord of " Leiceſter, to whom her Majeſty is [familiar, " and had *] ſignify'd as much, as likewiſe afterwards to Mr. Vice-chamberlain [Hatton †]; as " they are acquainted with the reſt of the whole " proceeding, and as far intereſted in the cauſe as " myſelf or any of the others ‡? Unleſs her Ma- " jeſty

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[*] I have filled up this blank. [†] I have filled up this alſo.

[‡] This ſhows the whole pretence againſt Daviſon, of his having communicated the ſecret of ſealing the warrant, as if ſuch a ſecret *ſhould* be kept; to be only an after thought, and a mere cover for accuſing Daviſon. *She herſelf* had told Hatton, had told Leiceſter, had told the lord admiral. She had actually ſent the laſt with an order, for Daviſon and the warrant to come to her, and the warrant expreſsly for her ſealing. He had received no command to keep his meſſage a ſecret. And he had told the lord treaſurer Cecil. Cecil, therefore, the very man that we have detected in ſuch knaveries before, muſt have known of Elizabeth's meſſage, and of Daviſon's coming, before

" jeſty had a meaning, that Mr. Secretary and I " ſhould have dealt alone, in the ſending of it to " the earls: which for my own part I confeſs I " never liked, knowing her Majeſty's purpoſe, " often uttered to myſelf, to remove as much of " the burden as ſhe might, from her own ſhoulders " upon others; which I knew mine own unfit to " ſuſtain.

" Now ſeeing the end of ſigning and ſealing this " warrant, in all reaſonable probability and judgment, was to go forward withal; that the delay " thereof did infinitely encreaſe her Majeſty's peril, " and thereby hazard the whole eſtate; ſeeing it " was imparted to ſome by her Majeſty's own order, and no cauſe or poſſibility, being ſealed, to " keep it from the reſt, as much intereſted in the " cauſe as myſelf; and finally, ſeeing I could neither, as I take it, in law nor in the duty of a " good ſubject conceal it from them, the cauſe

before Daviſon gave him any aſſurance of the Queen's reſolution. And as Elizabeth had told the lord admiral, and the lord admiral had told Daviſon from her, that ſhe had ſpoken with "ſharpneſs" againſt Daviſon, for not bringing up the warrant before, and that ſhe had declared "ſhe would no "longer defer" the execution (ſee the beginning of this apology); ſo the lord admiral muſt neceſſarily have imparted this to Cecil. Yet Cecil appeared as a witneſs againſt Daviſon, by his written confeſſion at leaſt; as if Daviſon had been the firſt and the only one who aſſured him, of Elizabeth's reſolution to have the warrant executed. He was, no doubt, in the ſecrets of his congenial miſtreſs; and ſaid or did, whatever ſhe wiſhed him to do or ſay. He ſeems indeed to have been the principal tool of that wretched Queen.

" importing ſo greatly her Majeſty's life as it did, " and the diſpoſition both of the time and ſtate of " things, at home and abroad, being ſuch as it " was: I truſt it ſhall ſufficiently appear, that I " was both in reaſon, duty, and neceſſity forced " thereunto; unleſs I would have wilfully endanger'd myſelf, whoſe offence, if ought in the " mean time had happen'd amiſs to her Majeſty, " muſt have been, in my own cenſure, worthy of a " thouſand deaths [*].

" And, as for my proceeding therein with the " reſt of my lords; after it was reſolved, that it " was neither fit nor convenient to trouble her " Majeſty any further withal, conſidering ſhe had " done all that the law required at her hands [†]; " and that ſhe had both to myſelf and others ſignify'd at other times, her indiſpoſition to be ac-

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[*] This argument, though tinctured a little with that fear for the danger of Elizabeth, which was merely chimerical in the extravagance here hinted at, carries a great force with it.

[†] This points out to us a new circumſtance, in the conduct of this buſineſs. On Daviſon's ſhowing the anſwer from Paulet, and giving the warrant to Cecil, upon Friday afternoon; it was reſolved by the council, he being preſent, " neither fit " nor convenient to trouble her Majeſty any further withal." And it is this reſolution of the council, which Daviſon afterwards confounded in his memory, and has falſely aſcribed to Elizabeth herſelf; when he ſays ſo abſurdly in his other apology, as I have ſhown before, that on Wedneſday ſhe " in " concluſion abſolutely forbad him, to trouble her any further, " or let her hear any more hereof, till it was done; *ſhe for her " part having*, as ſhe ſaid, *performed all that in law or reaſon " could be required of her*" (Robertſon, ii. 482). The cloſe of both peculiarly ſhows both to be the ſame.

"quainted with the particular circumſtances, of "time, place, &c. *; and that to detain the warrant in expectation of any further directions from "herſelf, was both needleſs and dangerous, conſidering the hourly hazard her Majeſty liv'd in; "and finally, that my lords, knowing her Majeſty's "unwillingneſs to bear all the burthen alone, were "content *moſt reſolutely, honourably,* and dutifully, to eaſe her as much as they might †: with "what reaſon and juſtice ſhould I have hindered "the courſe of juſtice, tending ſo greatly to her "Majeſty's ſafety, and preſervation of the whole "realm?

"And for the other part, of keeping it by me "to ſuch end as is before alleged, I truſt the "world does not hold me ſo undutiful to her Majeſty, or ill-adviſed for my particular; as to take "ſuch a charge upon me, to the evident peril of "her Majeſty's life, ſubverſion of the whole eſtate, "and my own utter overthrow. Neither is there "cauſe to think (I ſpeak it in all reverence, and

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* This alſo tells us a new circumſtance. Elizabeth had "ſignified" to "Daviſon and others" at "other" times *before,* her deſire *not* to be acquainted with the "place" &c. of the execution. Yet ſhe had altered her deſire in this reſpect, when on Wedneſday, the firſt of February, ſhe could forbid the green, and point out the hall, as the ſcene of execution.

† This ſhows the lords to have been all well acquainted, with Elizabeth's deſire for throwing the load of murder off from her own ſhoulders, by ſubſtituting aſſaſſination for execution; and artfully to have given it another turn, in order to bring the execution forwards.

" under her Majeſty's moſt gracious favour *), that " her Majeſty having proceeded ſo far as ſhe had " done to the trial of that lady's fact, found her " guilty by a moſt honourable jury of her nobility, " aſſembled her parliament only for that purpoſe, " graciouſly heard their petitions, and diſmiſſed " them with ſo great hope; publiſhed afterwards " the proclamation for her diſhabilment, rejected " the ſuits both of the French and Scotiſh kings " for her life, and returned their ambaſſadors hopeleſs; confirmed that impreſſion by her letters to " both princes (ſome of which it pleaſed her to " communicate with myſelf); proteſted many hundred times her neceſſity, and reſolution, to go " through withall † (albeit, for ſundry good reſpects, ſhe had ſo long deferr'd it); having given " her commandment to me many days before, to " bring the warrant to her ‡, and then voluntarily " ſent for it by my lord admiral; ſigning it as " ſoon as I brought it, with her expreſs commandment given me, to carry it to the ſeal, and to " have it ſecretly handled; and, finally, her particular direction, while ſhe was ſigning other " things at the ſame time, to have the execution

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* This unites with two paſſages before, to ſhow the apology was intended for the eye of Elizabeth.

† This, as to the " reſolution" vouched " many hundred " times," is quite a new circumſtance.

‡ This is alſo a new circumſtance. And I have accordingly noticed it and the preceding, as ſuch, in the body of the work, i. 3. 6.

" done in the hall, miſliking that it ſhould be on " the green or open court; with a number of " other, foregoing and following, circumſtances; " may ſufficiently teſtify her Majeſty's diſpoſition " to have it proceeded in, albeit ſhe had to myſelf " and others declared her unwillingneſs, to be made " acquainted with the time and other circumſtances, " having done all that the law required of her, " or that in honour was fit and expedient for " her *."

Nº XVII.

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* Let me here, at the end of the apology, remark finally concerning Daviſon, That, though he was not an honeſt man, yet he was ſo nearly one, as to be a very prodigy for the miniſtry of Elizabeth. He refuſed, it appears, to ſign that very bond of aſſociation, which was ſigned by all the nation, and which even the deſpairing Mary offered, on her liberty being granted, to ſign herſelf. Yet *he* refuſed, though Leiceſter puſhed on the aſſociation, and though Elizabeth urged him to ſign it. Among the pleas which he advances for himſelf in his other apology, he particularly ſtates " his former *abſolute* " refuſal to ſign the band of aſſociation, being *earneſtly* preſſed " thereunto by her Majeſty's ſelf" (Robertſon, ii. 483). This indeed is a very ſtrong evidence, of a manly virtuouſneſs in him. But he did other things, in the ſame ſpirit of virtue. He declined to act as a commiſſioner, on the examination of Babington and his accomplices, for their conſpiracy in favour of Mary; and took a journey to Bath, in order to ſave himſelf from acting (Robertſon, ii. 483). He was a means too of preventing the commiſſioners, who were ſent to try Mary at Fotheringay-caſtle, from pronouncing ſentence upon her immediately after the trial; and of obliging them to return firſt to London, and report their proceedings to Elizabeth (Robertſon, ii. 483). We have already ſeen, that he kept the warrant for the execution of Mary, five or ſix weeks in his hands; without offering to preſent it to Elizabeth, for her ſigning. We have equally

No XVII.

" THE BOND OF 9 EARLES, 9 BUSHOPPS, 18 LORDS, " AND OTHERS FOR DEFENCE OF THE QUEENE " OF SCOTTS."

" VIII. MAII 1568."

" TILL all and ſundrie quhome it effaires, to " quhais knowledge thir preſent lettres ſall cum: " We ye prellatts, erls, lords, barons, gentilmen,

" and

equally ſeen, that he actually neglected to obey a perſonal command of Elizabeth's, for bringing the warrant to her; and that he thus neglected for " many days," even till the Queen fired at his conduct, and ſent him a peremptory order to bring it. Even then, and even when Paulet's anſwer had been received, and all delay was now at an end for ever; he would not be concerned in ſending away the warrant himſelf, but returned it into the hands from which he had received it, and left Cecil and the council to ſend it. And, as in all the time " *before* her trial, he neither is nor can be charged, to have " had any hand at all in the cauſe of the ſaid Queen, or done " any thing whatſoever concerning the ſame, directly or indi- " rectly;" ſo, " *after* the return thence of the—commiſſioners, " it is well known to all her council, that *he never was at* " *any deliberation or meeting whatſoever*, in *parliament* or *coun-* " *cil*, concerning the cauſe of the ſaid Queen, till the ſending " down of her Majeſty's warrant unto the commiſſioners, by " the lords and others of her council" (Robertſon, ii. 481).

Theſe deeds of honeſty, no doubt, had ſucceſſively marked him out for vengeance, to the reſt of the miniſtry and to the Queen. He was therefore ſelected by Cecil, " with her Ma- " jeſty's own privity," to be the Secretary with whom the warrant ſhould be lodged for ſigning (Robertſon, ii. 481).

He

" and burrowis after ſpecifeit, haveing conſiderit
" that it has pleaſit God Almytie, of his infinite
" power,

He was thus expoſed to a train of deciſive trials. It would be ſeen, whether he *offered* to preſent the warrant to Elizabeth, for her ſignature. Should he *not* offer, a command might be given him by Elizabeth, to bring it up. Should he heſitate to obey *this*, a ſharp rebuke and a peremptory order might be ſent him. If he was refractory in all theſe points, then the wrath of Elizabeth would burſt out upon him, and ſweep him away from her preſence for ever. If he complied in any, his farther compliance might be tried, in ordering him to the great ſeal with the warrant, and in directing him to uſe the warrant, when ſealed, with ſecreſy. Should he be found pliable in *this* trial, the grand ſcheme of aſſaſſination, the favourite wiſh of Elizabeth's heart, which had repeatedly been talked over by her other miniſters before Elizabeth and him, which they all united to approve, though none of them offered to undertake, and which had been ſo talked over and ſo approved of, merely to put Daviſon upon undertaking it; might finally be urged upon Daviſon in private, by Elizabeth herſelf. Should he bend to this urgency, and engage in the work of aſſaſſination; Elizabeth, *as ſoon as ever the work was done*, would have riſen upon him with an *affected* paſſion, and made his life the forfeit of his compliance. And ſhould he *not* bend, all his preſent and all his former refractorineſs would be remembered at once againſt him, and unite to draw down the rage of Elizabeth in a ſtorm of *real* reſentment upon him. Either way, the man was ſure to be ruined. He complied, though only in part. He brought up the warrant, at the *ſecond* order. He carried it to the great ſeal. He even united with Walſingham, to mention Elizabeth's propoſal of aſſaſſination to Paulet. But he would go no farther. He actually proteſted to Elizabeth herſelf againſt the propoſal, before he mentioned it to Paulet. He proteſted to her againſt every ſcheme of aſſaſſination. And he was therefore ruined at laſt by Elizabeth, in a moſt impudent ſtretch of falſhood, for *doing what he did not do*,

"power, to put to libertie our Soveraigne Ladie
" y^e^ Quenis Mageſtie furth of the hands of her
" Hienes

do, and in truth and reality for *not doing what he was wanted to do.*

Thus fell Daviſon, a memorable evidence of the cunning, the perfidiouſneſs, and the barbarity, of Elizabeth and her Cecil! But he was fully revenged of them both, in his fall. He wrote the preſent apology, which ſerves ſo greatly to expoſe the characters of both. It is very convincing in itſelf, is even drawn up with the air and addreſs of a fine writer, and is peculiarly valuable to the critical inveſtigators of Elizabeth's conduct. It differs very uſefully from that in Dr. Robertſon's Appendix, in being written within the very month of all the main tranſactions recorded in it, and being therefore very full, circumſtantial, and accurate; while that was written many years afterward, is only general and ſhort, and is often in-accurate. It was not however, as Camden ſays, a "private" apology ſent to "Walſingham" (Orig. i. 465, Tranſ. 392). It was evidently calculated, as I have ſhown before, for the inſpection of Elizabeth herſelf. And, as it would naturally be ſent to his brother-ſecretary for her inſpection; ſo was it a bold challenge to her for the truth and exactneſs of all his averments, and would ſerve only to increaſe the load already deſcending to cruſh him. The other was written, not only when the little particulars had faded off from the mind, when memory had confounded ſome circumſtances that were diſtinct in themſelves, and a regular narrative, if it could have been given, was no longer of conſequence; but, what is very ſurprizing, when Daviſon had loſt all copy, and even all minutes, of this very apology. It was drawn up too, when he was no longer afraid of ſhowing his forbearance in the cauſe of Mary, and indeed had reaſon for diſplaying it all at large. He therefore goes back much farther in the ſecond apology, than in the firſt; to the return of Mary's judges from Fotheringay, to the moment of her trial, to the examination of Babington, &c. and to the times preceding all. In this whole period he ſhows us his ſecret attachment

“ Hienes diſobedient and unnaturall ſubjects, quha
“ hes preſumit and praiſit yemſelfs to hold her
“ maiſt

attachment to Mary, by ſuch a train of incidents; as ſeems peculiarly calculated for the eye of Mary's ſon, on his acceſſion to the throne of England. Yet Elizabeth muſt have been alive at the writing of it; ſince ſhe is ſpoken of as ſtill Queen. And I therefore ſuppoſe it to be written, at the latter end of Elizabeth's reign, when all the nation began to turn their eyes towards Scotland for a ſucceſſor to her; and when Daviſon would naturally endeavour to make that attachment to Mary, for which he had ſuffered ſo ſeverely from Elizabeth, promote his intereſt with James.

The latter apology was publiſhed by Dr. Robertſon, from a paper, ſuppoſed to be the original, in the Cotton Library (ii. 481). The former has been publiſhed in an anonymous hiſtory of “the life and reign of Mary Queen of Scots, London, “ 1725,” where, with an agreeable ſurprize, I firſt met with it, where it is ſaid to be taken “from a MS. in the poſſeſſion “ of a perſon of quality,” that had ſome *lacunæ* in it, and from whence I have re-printed it here, filling up the *lacunæ*. To this were ſubjoined the letters, to and from Paulet and Drury, as “found amongſt Sir Amias Poulet's writings.” But the apology and letters had been previouſly publiſhed by Dr. Mackenzie, in his “Lives of Scots writers, vol. iii. 1708,” under the article *Freebairn*, and without the *lacunæ* of the other MS. He printed the former, he ſays, from the original itſelf, “ found amongſt Sir Amias Paulet's papers; a copy of which, “ tranſcribed from the *original*, was ſent me by my worthy and “ learned friend Mr. Hurry of Chriſt's Church Oxon” (p. 334). And the latter were found equally among the ſame papers, and tranſcribed equally from them, by Mr. Hurry. Theſe two copies, therefore, are plainly tranſcripts of the ſame original; *that* having *lacunæ* in it, becauſe the writer was not able to read the MS.; and *this* having none, as written by a more ſkilful reader. Yet the particulars of this apology are little known to the world at preſent. I met not with it, till I had publiſhed my Vindication. I knew of it in general, but I could

“ maiſt noble perſon in preſon, yis lang tyme paſt,
“ for yair awin prehemenance and particularities,
“ menuſand and boiſtand from tyme to tyme to
“ take her Mageſteis life maiſt unjuſtlie from her,
“ expres agains all lovable lawe of God and man;
“ for ye quhilk his greit benefitt grantid to us her
“ true ſubjects in her deliverance aſoirſaid, we render
“ to him all thanks and hearty praiſe; and
“ ſeing alſue that it is the bundin duetie of all true
“ ſubgeicts with their bodies, lands, and guddis to
“ ſerve and obey there native Soveraigne, in the
“ quhilk place * undoubtitly Almightie God has
“ vevin † her Hienes abufe us to raigne, quhilk
“ we maiſt earneſtly prays his Godheid may lange
“ continewe, to his glory, and alſwo our vardlie ‡
“ comforte: We therefore, and every one of us,
“ promiſis and obliſe us in the name of the eternall
“ God, faithfully and truly upon our ſawtie § and
“ honours in the world. That we ſall ſerve and
“ obey truely our ſaid Soveraigne Lady, our natural
“ princes, as her Hienes faiſull ‖ lieges and

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could not tell where to find it. I often looked at the apology in Dr. Robertſon, yet found not in it what I wanted and expected. Nor had I ſuch an idea of the preſent, as could induce me to be very ſolicitous in procuring it. But I was greatly ſtruck, the moment I peruſed it. And I ſoon ſaw the expediency, of uſing it in the narrative part of my Work; and of republiſhing it with notes in my Appendix; for the fuller elucidation of the whole hiſtory.

* Keith, 475—477, from Crawford's copy in the advocate's library, reads *cais*.

† Keith, *gevin*.

‡ Keith, *wardlie*.

§ Keith, *lawtie*. *Lawtie* alſo occurs hereafter, and ſhows that this ſhould be the ſame.

‖ Keith, *faythfull*.

" ſubjectis, agains all her enemyes and others her " Gracs diſobedient and unnaturall ſubjects, with " our bodies, lands, and guds, frends, ſervands, " aſſiſtans, and partakers, to the ſetting forwart of " her Hienes auctorite, honour, commonveill of " our native realme and liegs thereof, to the uttermaiſt of our power unto our lieves end: And " alſwa becauſe we ſe the great diſobedience preſently pretended agains her Grace, and her trew " and obedient ſubgects; we therefore in maner " foreſaid bynds and oblifis us and every one of " us, truly and faithfully to take one trew and unfould * plane parte with otharis, in defence of " ourſelfs, bodeis, guddes, lands, rowmes, poſſeſſions, men, tennentis, ſervands, frends, and aſſiſtans, and in perſute of them that beis funden " diſobedient to our ſaid Soveraigne Lady and hir " auctorite: And to that effect, that na diſtance nor " gruge ſall remane nor vix † amangis us, our " frends and ſervands, for any action ne caus " criminale or civile bypaſt; we alſo be thir preſentis referris all ſic actionnis and cauſs, yat preſently is or ſall happon heerafter to be amangis " us, to ye ordour, dres, and comandement of " our ſaid Soveraigne Ladie, or the lordis of her " Hienes counſell, or any thre or fowr of thaime, " that her Hienes pleaſes comaund to accept the " deciſionthere of upon them; and however they

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* Keith, *anefald.*

† " Nor vix" omitted in Keith. They were not underſtood, I ſuppoſe. They mean to *live*, I apprehend, and came from the Latin *vixerint*.

“ diſcerne yintill, we obliſe us faithfully to ſtand
“ and abide thaireat, and ſall on na ways purſewe
“ any actions agains otheris without her Hienes li-
“ cenſe, unto the tyme that her Majeſty hold
“ parliament, and be fully eſtabliſhit in her quene-
“ ly honour and obedience: Obliſſant ilk ane of
“ us to otharis but fraude or guile, upon our
“ lawties, honours, and fidelities, and never to have
“ faith nor credit, but to be reputit and haldin as
“ opin and manifeſt traytors, gif we cum in con-
“ trare the tenour of the premiſſes in any ſort. In
“ witnes of the quhilk, we and every one of us has
“ ſubſcrivit thir preſents with our hand at Hamyl-
“ ton, the viiith. day of May in the yerr of God
“ M D threſcore and oucht yeeris &c. Sic ſub-
“ ſcribitur [*].

Archibald Earle of Argile [†].
George Earle of Huntley.
Hew Earle of Eglingtoun.
David Earle of Crawfurde.
Earle of Caſſillis.
Earle of Rothons [Rothes].
Earle of Mutroiſe [Montroſe].
Earle of Sudderland.
Earle of Arroll Counſtable.

Jo^{n} Archb^{p} of S^{t} Androſs.
Jo. Bp. of Dunkeld.
Jo. Bp. of Roſs.
Alexander B. of Galloway.
Alex. Bp. of Aberdene.
Rob^{t} Bp. of Brechon.
John Bp. of the Iles.
James B. of Argile.
Jo. B. of Murray.

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[*] The words “ ſic ſubſcribitur” are omitted in Keith.

[†] “ The Scots titles and names,” ſays Mr. Crawford, “ being not known to Sir Robert Cotton's tranſcriber, he has “ certainly miſtaken ſome of them: however, as near as poſſi- “ ble, we have copied after him, altering only thoſe which “ fell within the compaſs of our own knowledge” (Keith, 477). Moſt of theſe ſuppoſed miſtakes, are only the modes of writing names, then prevailing perſonally or generally. And I have publiſhed the names as they are.

Lordis.

Fleminge.
Levingſton.
Seton.
Robert Lord Boyd.
Somerveillis.
Hereis.
Roſs.
Maxwell.
Ogilby.
Olafant.
W^{m} Lord Bortheveik.
Zancher.
W^{m} Lord Hay of Yeſter.
Drumond.
Elphinſtaun.
Lord Glawl [Glawd] Hamylton.
Sinclare.
Cairliewe [Cairliel].

Lannington.
Cederwood.
Cloiſburne.
Langton.
Trequair.
Keir.
Gardey.
Clackmanon.
Sanchy [‡].
Tulleallen.

Abbott S^{t} Colmes Inſche.
Abbot Lindoris.
Glenluf [Glenlus].
Haliwod.
Abbot New Abbay.
Dundraynen.
Abbot Salſide.
Abbot Couſragell.
Abbot Inſchafray.
Abbot Kelſo [*].
Prior Pluſkati.
Prior Lahtenn.

Barronnis.

Lard Lochinwar.
Baſs.
Wachton.
Roſlinge.
Chriſtorphin.
Johneſton.
Weymes.
Bulweguie [†].
Torry.
Dalhouſſy.
Fairnherſty.
S^{r} of Tewdaill.
James Stewart of Cardonald.
Lard of Kneland.
Lard of Camnethen.
Lard of Lachop.
Barthanothan.
Gawſtunn.
Romanes.
Craunſtoun, K^{t}.
Newton of the Ilk.
Lard Bandeneth.

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[*] Keith omits the repetition of "abbot."

[†] Keith, *Balwery*.

[‡] Keith, *Lamington*, *Calderwood*, *Lanton*, *Sanchy*.

Fyndletar.
Barnebowgall.
Greinheid.
Bawſe.
Haddon.
Lard of Rouallen.
Drumalzer.
Coilſburn.
Q^{t}furd of the Ilk.
Robert Boyd of Baddeners *.
Ieriſwood.
James Johneſton of Torrey.
Robert Johneſton of Lochmaben.
John Creythun of Rihill.
Seref of Ayr.
Sir James Hadilton, K^{t}.
Sref of Cliddeſdaile.
Rob^{t} Maiſter of Simple.
Tho. M^{r} of Boyd.
Lord Bombie †.
Skirlinge, K^{t}.
Lard Boyn.
Lard of Boghall.
Lard of Innervike.
Lard of Stonhaus.
Lard of Dunrod.
Craigehall.
Anneſbun.
Kilburny ‡.
Lard Cokpule.
Neil Mungumery, K^{t}.
Lard of Belſtains.
Quhitfurd §.
Sir Andro Car, K^{t}.
S^{r}ref of Lithges.
Gairtlie.
Silverton, K^{t}.
Haninge.
Rikerton.
Arkinles.
Dalzell.
Semenance.
Lekpreuik.
Corhouſs.
Robert Lawſon of Hunby.
Eſilmont.
Macum Toſche.
Geicht.
Creich, K^{t}.
Abergeloy.
Quhy^{t}lawe ‖.

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* Keith, *Bamff, Haddo, Rowallan, Drumallier, Whitford of that ilk, Badennis.* † Keith, *Ierviſwood, Creichton, Hamilton,* and *Laird of Bombie.* ‡ Keith, *Skirlings, Laird of Boyn, Boghall, Innerwick, Stenhouſe, Dunrod, Anneſburn.* § Keith, *Laird of Kneland, Cambuſkenneth, Lauchop, Barclanochan, Romano, Bandenoth, Belſtams.* ‖ Keith, *i Andrew Ker, Kt. Sheriff of Linlithgow, Haining, Ardkinlas, Humby, Macintoſh, Abergeldy.*

Patrick Congilton of the Ilk.
Pook.
Ladieland.
Lard Smeton.
Preſton, K^{t}.
Caldwell, K^{t}.
M^{r} of Kneland *.

A CONCLUDING LETTER OF MARY'S TO ELIZABETH.

“ LA Royne,” ſays Blackwood concerning Mary, at the reported ſeizure of her ſon by Lord Gowry, “ ayant eu le vent de la captivité de “ ſon fils, *tomba malade* de ſorte, qu'*elle en penſa* “ *mourir*, comme les medecins d'Angleterre rap- “ porterent à leur maiſtreſſe; laquelle ne deman- “ doit pas mieux, ayant deſia le fils en ſa puiſſance, “ ou, quoy que ſoit, entre les mains de gens à ſa “ devotion: dont la pauvre mere ayant l'eſprit “ fort agité, *apres avoir adreſſé ſes prieres à Dieu*, “ meit la main à la plume; penſant obtenir grace “ et fleſchir le cœur de ſa couſine, par des diſcours “ que j'ay mis icy &c.”

† “‘ Madame,

“‘ Sur ce qui eſt venu à ma cognoiſſance, des der- “‘ nieres conſpirations executees en Eſcoſſe contre

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* Keith, *Laird of Cockpool, Pollock, Ladyland, Smeton.*

† Camden has given us this letter, as he ſays himſelf, “ ut “ *ex ipſo autographo* in pauca contraham,” Orig. i. 332.

“‘ mon pauvre enfant, ayant toute occaſion d'en
“‘ craindre la conſequence, à l'exemple de moy-
“‘ meſme; il faut que j'employe ſi peu de vie et de
“‘ force qui me reſte, pour, devant ma mort, vous
“‘ deſcharger plainement mon cœur de mes juſtes et
“‘ lamentables plaintes; deſquelles je deſire, que
“‘ cette lettre vous ſerve, tant que vous vivrez
“‘ apres moy, d'un perpetuel teſmoignage et gra-
“‘ veure en voſtre conſcience; tant à ma deſcharge
“‘ pour la poſterité, qu'à la honte et confuſion de
“‘ tous ceux, qui, ſous voſtre adveu, m'ont ſi
“‘ cruellement et indignement traictee juſques icy,
“‘ et menee à l' extremité où je ſuis *. Mais dau-
“‘ tant que leurs deſſeins, prattiques, actions, et pro-
“‘ cedures, pour deteſtables qu'elles puiſſent avoir
“‘ eſté, ont touſiours prevalu en voſtre endroit con-
“‘ tre mes tres-juſtes remonſtrances et ſinceres de-
“‘ portemens; et que la force, que vous avez en
“‘ main, vous a touſiours donné la raiſon entre les
“‘ hommes; j'auray recours à Dieu vivant, noſtre
“‘ ſeul juge, qui nous a egalement et immediate-
“‘ ment ſous luy eſtablies, au gouvernement de ſon
“‘ peuple.’”

“ The Queen, having received intimation of
“ her ſon's captivity, *fell ſo ſick* that *ſhe thought ſhe*
“ *ſhould die*, as the Engliſh phyſicians reported ſhe
“ would to their miſtreſs; who wanted nothing
“ better, having already the ſon in her power, or,
“ which was the ſame, in the hands of people de-
“ voted to her: with which the poor mother being

“ greatly agitated in her mind, *after ſhe had addreſſed*
“ *her prayers to God*, puts her hand to the
“ pen; thinking to obtain favour from, and to
“ ſoften the heart of, her couſin, by this addreſs
“ which I have ſubjoined here &c.

“‘ Madam,

“‘ Upon that which has come to my knowledge, of
“‘ the laſt conſpiracies executed in Scotland againſt
“‘ my poor child, having reaſon to fear the conſequence
“‘ of it, from the example of myſelf; I
“‘ muſt employ *the very ſmall remainder of my life*
“‘ *and ſtrength, before my death*, to diſcharge my
“‘ heart to you fully of my juſt and melancholy
“‘ complaints; of which I deſire that this letter
“‘ may ſerve you, as long as you live after me, for
“‘ a perpetual teſtimony and engraving upon your
“‘ conſcience; as much for my diſcharge to poſterity,
“‘ as to the ſhame and confuſion of all thoſe,
“‘ who, under your approbation, have ſo cruelly
“‘ and unworthily treated me to this time, and reduced
“‘ me to the extremity in which I am [*].
“‘ But as their deſigns, practices, actions, and proceedings,
“‘ though as deteſtable as they could
“‘ have been, have always prevailed with you

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[*] This ſtrongly marks the propriety of *publiſhing* the preſent letter. It appears here to have been intended by Mary, for an appeal to the judgment of poſterity, as well as to the conſcience of Elizabeth. To *this* it called in vain. But with *that*, I doubt not, it has had and will have a very powerful influence. —Camden has the firſt clauſe thus, “ cùm *certè* acceperim,” and another thus, “ eaſdem in tuâ (*ſi fieri poſſet*) conſcientiâ “ inſculpere;” and omits all concerning her expected death.

“‘ againſt my very juſt remonſtrances and ſincere
“‘ deportment; and as the power, which you have
“‘ in your hands, has always been a reaſon for you
“‘ among mankind; I will have recourſe to the
“‘ living God, our only judge, who has eſtabliſhed
“‘ us equally and immediately under him, for the
“‘ government of his people.”’

“‘ Je l'invoqueray à l'extremité de ceſte mienne
“‘ tres-urgente affliction, pour retribuer à vous et
“‘ à moy (comme il fera à ſon dernier jugement) la
“‘ part de nos merites et demerites l'une envers
“‘ l'autre. Et ſouvenez vous, Madame, q'à luy
“‘ nous ne ſçaurions rien deſguiſer par les fars et
“‘ polices du monde; ores que mes ennemis, ſous
“‘ vous, puiſſent un temps couvrir aux hommes,
“‘ paravanture à vous, leurs ſubtiles inventions.

“‘ En ſon nom, et comme devant luy ſeant entre
“‘ vous et moy, je vous ramenteuray; que par les
“‘ agents, eſpies, et meſſagers ſecrets, envoyez
“‘ ſoubs voſtre nom en Eſcoſſe, durant que j'y
“‘ eſtois, mes ſubjets ont eſté corrompus, et ſuſcitez
“‘ à ſe rebeller contre moy, à attenter contre
“‘ ma perſonne, et, en un mot, à dire, faire, entreprendre,
“‘ et executer ce que, durant mes troubles,
“‘ eſt advenu audit pays *. Dont je ne veux

“‘ à preſent

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* “ Elle entend Thomas Randol, ambaſſadeur ordinaire
“ d'Eliſabeth en Eſcoſſe, qui, ſous ombre de ſon office, y a
“ fait dix mille trahiſons à la Royne d'Eſcoſſe, corrompant
“ ſes ſujets par or et argent, pour les inciter à rebellion;
“ comme il a eſté verifié par le procez à luy faict.” The note

of

“‘ à preſent ſpecifier autre verification, que celle que j'en tiray par la confeſſion d'un, qui depuis a eſté des plus avancez de bon ſervice, et des teſmoins à luy confrontez †. Auquel ſi j'euſſe deſlors faict juſtice, il n'euſt depuis, par ſes anciennes intelligences, renouvellé les meſmes pratiques contre mon fils; et n'euſt moyenné a tous mes traiſtres et rebelles ſubjets, refugiez vers vous, l'ayde et ſupport qu'ils en ont eu, meſmes depuis ma detention par deça; ſans lequel ſupport, je penſe que leſdits traiſtres n'euſſent deſlors prevalu, ne depuis ſi longuement ſubſiſté, comme ils ont faict.

“‘ Durant ma priſon de Lochlevin, feu Trogmarton me conſeilla de voſtre part, de ſigner ceſte demiſſion, qu'il m'advertiſſoit me devoir eſtre preſentee; m'aſſeurant, qu'elle ne pouvoit eſtre valable. Et depuis il n'y a eu lieu en la Chriſtienté, où elle ait eſté tenuë pour telle, ne maintenuë, que pardeça; juſques à avoir aſſiſté par force ouverte les autheurs d'icelle. En voſtre

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of Blackwood, the publiſher of the letter, and a cotemporary with Mary. “ She means Thomas Randol [Randolph], the “ ordinary embaſſadour of Elizabeth in Scotland, who, under “ ſhadow of his office, committed there ten thouſand treaſons “ againſt the Queen of Scotland, corrupting her ſubjects with “ gold and ſilver, to incite them into rebellion; as was proved “ by the proceſs made againſt him.”—One clauſe in the text ſhows *Elizabeth*, to have been at the bottom of that horrid conſpiracy, the murder of Rizzio and the ſeizure of the Queen. Randolph was *then* embaſſadour in Scotland, and left the country ſoon afterwards (Keith, 344).

† Camden, “ ex *Mortonii* ipſius ore.”

conſcience, Madame, voudriez vous recognoiſtre pareille liberté et pouvoir en vos ſujets? Ce neantmoins, mon authorité a eſté par les miens tranſmiſe a mon fils, lors qu'il n'eſtoit capable de l'exercer.”’

“‘ I will invoke him to the end of this my very preſſing affliction, that he will return to you and to me (as he will do in his laſt judgment) the ſhare of our merits and demerits one towards the other. And remember, Madam, that to him we ſhall not be able to diſguiſe any thing, by the paint and policy of the world; though mine enemies, under you, have been able, for a time, to cover their ſubtle inventions to men, perhaps to you.

“‘ In his name, and as before him ſitting between you and me, I will remind you; that by the agents, ſpies, and ſecret meſſengers, ſent in your name into Scotland, while I was there, my ſubjects were corrupted, and encouraged to rebel againſt me, *to make attempts upon my perſon*, and, in one word, to ſpeak, do, enterprize, and execute that, which has come to the ſaid country during my troubles. Of which I will not at preſent ſpecify other proof, than that which I have gained of it by the confeſſion of one, who was afterwards amongſt thoſe that were moſt advanced for this good ſervice, and of the witneſſes confronted with him. To whom if I had ſince done juſtice, he had not afterwards, *by his antient intelligences*, renewed the ſame

"" practices againſt my ſon; and had not procured
"" for all my traitourous and rebellious ſubjects,
"" who took refuge with you, that aid and ſupport
"" which they have had, even ſince my detention
"" *on this ſide*; without which ſupport, I think, the
"" ſaid traitours could not ſince have prevailed, nor
"" afterwards have ſtood out ſo long, as they have
"" done.

"" During my impriſonment at Lochlevin, the
"" late Trogmarton [Throgmorton] counſelled
"" me on your behalf, to ſign that demiſſion which
"" he advertiſed me would be preſented to me;
"" aſſuring me, that it could not be valid. And
"" there was not afterwards a place in Chriſtendom,
"" where it was held for valid, or maintained, ex-
"" cept *on this ſide*; [where it was maintained]
"" even to having aſſiſted with open force the au-
"" thors of it. In your conſcience, Madam, would
"" you acknowledge an equal liberty and power in
"" your ſubjects? Notwithſtanding this, my autho-
"" rity has been by my ſubjects transferred to my
"" ſon, when he was not capable of exerciſing it.'"

"" Et depuis que je l'ay voulu legitimement aſſeu-
"" rer en icelle, eſtant en aage de s'en aider pour
"" ſon bien propre, elle luy eſt ſoudainement ravie,
"" et attribuee à deux ou trois traiſtres; qui luy en
"" ayant deſia oſté l'effect, luy en oſteront, comme
"" à moy, et le nom et le tiltre, s'il leur contredit
"" en façon que ce ſoit, et paravanture la vie, ſi
"" Dieu ne pourvoit à ſa preſervation.

“‘ Sortie que je fus de Lochlevin, preſte à donner battaille à mes rebelles; je vous renvoiay par un gentil-homme expres une bague de diamant, qu'autreſois j'avois recuë de vous en token, et avec aſſeurance d'eſtre par vous ſecouruë contre mes rebelles; et meſme que me retirant vers vous, vous viendriez juſque ſur la frontiere m'aſſiſter; ce que par divers meſſagers m'avoit eſté confirmé *.’”

“‘ And ſince I was willing to aſſure it lawfully to him, he being of age to be aſſiſted to his own advantage, it is ſuddenly raviſhed from him, and aſſigned over to two or three traitours; who having taken from him the effectiveneſs of it, will take from him, as they have from me, both the name and the title of it, if he contradicts them in the manner he may, and perhaps his life, if God does not provide for his preſervation.

“‘ When I was eſcaped from Lochlevin, ready to give battle to my rebels; I remitted to you by a gentleman expreſs a diamond jewel, which I had formerly received as a token from you, and with aſſurance to be ſuccoured by you againſt my rebels; and even that, on my retiring towards you, you would come to the very frontiers in order to aſſiſt me; which had been confirmed to me by divers meſſengers *.’”

“‘ Ceſte

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* Elizabeth appears from this, to have *early* formed the deſign of drawing Mary into England, under pretence of aſſiſting her, and in order to ſeize, inſult, and impriſon her. This ſcheme ſhe carried on, being all the while in league with Murray, and intending

“‘ Ceſte promeſſe venant, et reiterée, de voſtre “‘ bouche (ores que par vos miniſtres je me fuſſe “‘ trouvee ſouvent abuſee) me fit prendre telle “‘ fiance en l'effet icelle; que, la route de mon “‘ camp ſurvenuë, je vins droict pour me jetter “‘ entre vos bras, ſi j'en euſſe peu approcher. “‘ Mais deliberant de vous aller trouver, me voila “‘ à my-chemin arreſtee, environnee de gardes, “‘ renfermee dans des places fortes, et en fin reduite, toute honte paſſee, en la captivité où je “‘ meurs aujourd'huy, apres mille morts que j'y ay “‘ j'a ſouffertes *.

“‘ Je ſcay, que vous m'alleguerez ce qui s'eſt “‘ paſſé entre le feu Duc Nortfolk et moy. Je “‘ maintiens, qu'il n'y avoit rien a voſtre prejudice, “‘ ne contre le bien public de ce royaume; et que le

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intending to ſerve his and her purpoſes by it; in a train of ſuch hypocritical profeſſions of friendſhip, as muſt ſhock even a profligate child of the world to think of. She ſent Mary a diamond jewel, as a ſolemn token of her avowed friendſhip, and as an expreſs teſtimony of her promiſed aſſiſtance. She even aſſured Mary, that on hearing ſhe was obliged to retire before her rebels towards England, ſhe would come to the very frontiers of England, to meet and receive her. This ſhe repeatedly confirmed afterwards, by meſſengers to her. And, after all, how did ſhe behave? This familiar toad at the ear of the innocent and unſuſpecting Eve, injecting its poiſon into her brain, and tempting her to her ruin, then ſtarted up at once in its own natural ſhape, and appeared a very devil by her ſide.

* Camden: “ Ad te *tanquam ad anchoram ſacram* in adver“ ſis confugere ſtatui, — ſi *tam* facilis aditus mihi patuiſſet, “ *ac contra me rebellantibus ſemper patuit*;” and “ ipſâ morte “ graviora.”

“‘ traitté fut approuvé par l'advis et ſignatures † des premiers qui eſtoient lors de voſtre conſeil, avec aſſeurance de le vous faire trouver bon.’”

“‘ This promiſe coming, and repeatedly, from your mouth (though I had found myſelf often abuſed by your miniſters) made me place ſuch affiance on the effectiveneſs of it; that, when my army was routed, I came directly to throw myſelf into your arms, if I had been able to approach them. But while I was planning to ſet out and find you, there was I arreſted on my way, ſurrounded with guards, ſecured in ſtrong places, and at laſt reduced, all ſhame ſet aſide, to the captivity in which I remain to this day, *after a thouſand deaths which I have already ſuffered from it.*

“‘ I know, that you will alledge to me what paſſed between the late Duke Nortfolk [of Norfolk] and me. I maintain, that there was nothing in this to your prejudice, or againſt the publick good of this realm; and that the treaty was ſanctioned with the advice and ſignatures † of the firſt perſons who were then of your council, under the aſſurance of making it appear good to you.’”

“‘ Comment tels perſonnages euſſent ils entrepris, de vous faire conſentir à ce qu'on vous oſtaſt la vie, l'honneur, et la couronne; comme vous

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† Camden: “ ſubſcriptionibus, *quæ proferri poſſunt*.”

“‘ vous en demonſtrez perſuadee, à tous ambaſſadeurs
“‘ et autres qui vous parlent de moy?

“‘ Cependant mes rebelles s’appercevants, que
“‘ leur courſe precipitee les emportoit plus outre
“‘ qu’ils n’avoient pourpenſé, et la verité eſtant
“‘ apparuë des impoſtures, qu’on ſemoit de moy
“‘ par la conference, à laquelle je me ſoubmis en
“‘ pleine aſſemblee de vos deputez et des miens,
“‘ avec les autres de party contraire en ce pays,
“‘ pour m’en eſclaircir publiquement; voila les
“‘ principaux, pour eſtre venus à reſipiſcence, par
“‘ vos forces aſſiegez au chaſteau d’Edimbourg, et
“‘ un des premiers d’entr’eux empoiſonné *, et
“‘ l’autre tres-cruellement pendu; apres que par
“‘ deux fois je leur eus fait mettre les armes bas,
“‘ à voſtre requeſte, en eſperance d’accord, où Dieu
“‘ ſçait ſi mes ennemis tendoient.’”

“‘ How could ſuch perſonages have undertaken
“‘ the enterprize, of making you conſent to a point,
“‘ which ſhould deprive you of life, of honour,
“‘ and your crown; as you have ſhown yourſelf
“‘ perſuaded it would have done, to all the embaſſadours
“‘ and others who ſpeak to you concerning
“‘ me?

“‘ In the mean time my rebels perceiving, that
“‘ their headlong courſe was carrying them much

“‘ farther

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* “ Ce fut le ſecretaire Lidinton, qui fut empoiſonné de peur
“ qu’il decouvriſt la mort du Roy, et toutes leurs trahiſons: le
“ Baron Grange, et ſon frere, furent pendus.”

“ This

farther than they had thought before, and the truth being evidenced concerning the calumnies, that had been propagated of me at the conference, to which I ſubmitted in full aſſembly of your deputies and mine, with others of the contrary party in that country, in order to clear myſelf publickly of them; there were the principals, for having come to repentance, beſieged by your forces in the caſtle of Edimbourg, and one of the firſt among them poiſoned, and the other moſt cruelly hanged; after I had two times made them lay down their arms, at your requeſt, in hopes of an agreement, which God knows whether my enemies aimed at.’”

“‘ J'ay voulu par un long temps experimenter, ſi la patience pourroit amender la rigueur et mauvais traittement, qu'on commença ſpecialement depuis dix ans à me faire ſouffrir. Et m'accommodant exactement a l'ordre qui m'eſtoit preſcrit, pour ma captivité en ceſte maiſon; tant pour le regard du nombre et qualité des ſerviteurs que je retins, licentiant les autres; que pour ma diette, et exercice ordinaire pour ma ſanté; j'ay veſcu juſques à preſent auſſi

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“ This was the ſecretary Lethington, who was poiſoned for fear he ſhould diſcover the death of the King, and all their treaſons: the Baron Grange, and his brother, were hanged.”

Camden: “*ferâ* pœnitentiâ” and “ pleniùs perſpicerent è colloquio,” &c.

“‘ quiettement et paiſiblement, qu’un beaucoup
“‘ moindre que moy, et plus obligé que pour tel
“‘ traictement je ne vous eſtois, euſt peu faire;
“‘ juſqu’à me priver, pour vous oſter tout ombre
“‘ de ſoupçon et deffiance, de requerir à avoir
“‘ aucune intelligence de mon fils et mon pays,
“‘ ce que par nul droit ne raiſon ne me pouvoit
“‘ eſtre denié, et principalement de mon enfant;
“‘ lequel, au lieu de ce, on travailloit par toute
“‘ voye de perſuader contre moy, afin de nous
“‘ affoiblir par noſtre diviſion.’”

“‘ I have been for a long time trying, whether
“‘ patience could ſoften the rigour and ill treat-
“‘ ment, which they have begun for theſe ten years
“‘ peculiarly to make me ſuffer. And accommo-
“‘ dating myſelf exactly to the order preſcribed
“‘ me, for my captivity in this houſe; as well in
“‘ regard to the number and quality of the at-
“‘ tendants which I retain, diſmiſſing the others;
“‘ as for my diet, and ordinary exerciſe for my
“‘ health; I am living even at preſent as quietly
“‘ and peaceably, as one much inferiour to myſelf,
“‘ and more obliged than with ſuch treatment I was
“‘ to you, had been able to do; even to deprive
“‘ myſelf, in order to take away all ſhadow of ſuſ-
“‘ picion and diffidence from you, of requiring to
“‘ have ſome intelligence with my ſon and my
“‘ country, which is what by no right or reaſon
“‘ could be denied me, and principally with my
“‘ child; whom, inſtead of this, they endeavoured by

“‘ every way to perſuade againſt me, in order to weaken us by our diviſion *.”

“‘ Il me fut permis, direz vous, il y a trois ans de l'envoyer viſiter. Sa captivité lors à Sterlin ſous la tyrannie de Morton, en fut cauſe; comme ſa liberté l'a depuis eſté, d'un refus pour pareille viſite. Toute ceſte annee paſſee, je ſuis par pluſieurs fois entree en diverſe ouvertures, pour l'eſtabliſſement d'une bonne amitié entre nous, et ſeure intelligence d'entre ces deux royaumes à l'advenir. A Chatiſvorts il y a environ dix ans, que commiſſaires me furent envoyez à cet effect. Il en a eſté traitté avec vous meſme, par les ambaſſadeurs de France et les miens. Moymeſme j'en fis, l'hyver dernier, toutes les advantageuſes ouvertures à Reale [Beale], qu'il etoit poſſible. Que m'en eſt-il revenu? Ma bonne intention meſpriſee, la ſincerité de mes deportemens negligee et calomniee, l'eſtat de mes affaires traverſé par delaiz, remiſes, et tels autres artifices. Et, pour concluſion, pire et plus indigne traictement de jour à autre, quelque choſe que je me ſois efforcee de faire pour deſervir le contraire, ma troy longue, inutile, et

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* How does this continue to lengthen out the dark and gloomy picture, of Elizabeth's conduct to Mary!

Camden: “animorum disjunctione, *ſi fieri poſſet*, divellere“tur.” His clauſe “hôc anno jam vertente” is taken from the next paragraph.

"" dommageable patience, m'ayant amené a ce
"" poinct; que mes ennemis, par leur accouſtumance de me mal-faire, penſent aujourd'huy avoir
"" droict de preſcription de me traitter, non comme
"" priſonniere, telle que par raiſon je ne puis eſtre,
"" mais comme quelque eſclave, dont la vie et la
"" mort dependent de leur ſeule tyrannie.""

"" It was permitted me, you will ſay, to ſend
"" one to viſit him there about three years ago.
"" His captivity then at Sterling under the tyranny
"" of Morton, was the cauſe of it; as his liberty
"" was afterwards, of a refuſal to make the like
"" viſit. All this year paſt, I have ſeveral times
"" entered into divers overtures, for the eſtabliſhment of a good amity between us, and a ſure
"" underſtanding between theſe two realms in future. To Chatſworth, about ten years ago,
"" commiſſioners were ſent me for that purpoſe.
"" A treaty has been held upon it with yourſelf,
"" by my embaſſadours and thoſe of France. I
"" even myſelf made concerning it, the laſt winter,
"" all the advantageous overtures to Beale, that it
"" was poſſible to make. What return have I had
"" thence? My good intention has been deſpiſed,
"" the ſincerity of my actions has been neglected
"" and calumniated, the ſtate of my affairs has been
"" traverſed by delays, poſtponings, and other ſuch
"" like artifices. And, in concluſion, a worſe and
"" more unworthy treatment from day to day, any
"" thing which I am compelled to do in order
"" to deſerve the contrary, my very long, uſe-

"‘ leſs, and prejudicial patience, have reduced me
"‘ ſo low; that mine enemies, in their habits of
"‘ uſing me ill, think this day they have the right
"‘ of preſcription for treating me, not as a priſoner,
"‘ which in reaſon I could not be, but as
"‘ ſome ſlave, whoſe life and whoſe death depend
"‘ only upon their tyranny *.’"

"‘ Je ne le puis, Madame, plus longuement ſouffrir;
"‘ et faut qu'en mourant je deſcouvre les auteurs
"‘ de ma mort, où que vivant j'eſſaye ſous
"‘ voſtre protectio[illegible] à faire mourir les cruautez,
"‘ calomnies, et traiſtres deſſeins de meſdits ennemis,
"‘ pour m'eſtablir quelque peu plus de repos
"‘ pour ce qui me reſte à vivre. Pour vuider les
"‘ occaſions pretendues de tous differens entre
"‘ nous, eſclarciſſez vous, s'il vous plaiſt, de tout
"‘ ce qui vous a eſté raporté de mes deportemens;
"‘ faites revoir les depoſitions des eſtrangers pris
"‘ en Irlande; que celle [celles] des jeſuites dernierement
"‘ executez vous ſoient repreſentees;
"‘ donnez libertez à ceux qui voudront entreprendre
"‘ de me charger publiquement, et me
"‘ permettez d'entrer en ma defence: s'il s'y
"‘ trouve du mal, que je le ſouffre, ce ſera patiemment
"‘ quand j'en ſçauray l'occaſion: ſi du
"‘ bien, ne ſouffrez que j'en ſois plus mal traittee,
"‘ avec voſtre tres-grande charge devant Dieu et
"‘ les hommes.’"

"‘ I cannot, Madam, ſuffer it any longer; and I

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* What heart is there, but muſt feel very livelily here for the injured Queen! Camden: " *ante* annos *undecim*."

muſt in dying diſcover the authors of my death, or living attempt under your protection to find an end to the cruelties, calumnies, and traitourous deſigns of my ſaid enemies, in order to eſtabliſh me in ſome little more repoſe for the remainder of my life. To take away the occaſions pretended for all differences between us, clear yourſelf, if you pleaſe, of all which has been reported to you concerning my actions; review the depoſitions of the ſtrangers taken in Ireland; let thoſe of the jeſuits laſt executed be repreſented to you; give liberty to thoſe who would undertake to charge me publickly, and permit me to enter upon my defence: if any evil be found in me, let me ſuffer it, it ſhall be patiently when I ſhall know the occaſion of it: if any good, ſuffer me not to be worſe treated for it, with your very great commiſſion before God and man †.’”

“‘ Les plus vils criminels, qui ſont en vos priſons, naiz ſous voſtre obeiſſance, ſont receuz à leurs juſtifications; et leur ſont tousjours declarez leurs accuſateurs et leurs accuſations. Pourquoy doncques le meſme ordre n'aura il lieu, envers moy Royne Souveraine, voſtre plus proche parente et legitime heritiere? Je penſe, que ceſte derniere qualité en a eſté juſques icy

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† With what a bold air, does innocence here invite and challenge an inquiry into its own actions! Camden: “proferantur *Hiſpanorum*, qui in Hiberniâ nuper capti, in me teſtimonia.”

“‘ la principale cauſe, à l’endroit de mes ennemis ; et de toutes leurs calomnies, pour, en nous tenant en diviſion, faire gliſſer entre deux leurs injuſtes pretentions. Mais, helas ! ils ont maintenant peu de raiſon et moins de beſoin, de me tourmenter davantage pour ce regard. Car je vous proteſte ſur mon honneur, que je n’attens aujourd’huy royaume, que celui de mon Dieu ; lequel je me voy preparer, pour la meilleure fin de toutes mes afflictions et adverſitez paſſees *.’”

“‘ The vileſt criminals, that are in your priſons, born under your obedience, are admitted to their juſtification ; and their accuſers, and their accuſations, are always declared to them. Why then ſhall not the ſame order have place, towards me a Sovereign Queen, your neareſt relation and lawful heir ? I think, that this laſt circumſtance has hitherto been, on the ſide of my enemies, the principal cauſe of it and of all their calumnies, to make their unjuſt pretenſions ſlide between the two, by keeping us in diviſion. But, alas ! they have now little reaſon and leſs need, to torment me more upon this account. For I proteſt to you upon mine honour, that I look this day for no kingdom, but that of my God ; whom I ſee preparing me, for the better concluſion of all my afflictions and adverſities paſt *.’”

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* Camden : “*jam diu* cogitâſſe.”

“‘ Ce ſera à vous de deſcharger voſtre conſcience
“‘ envers mon enfant, pour ce qui luy appartiendra
“‘ apres ma mort en cet endroit ; et cependant de
“‘ ne laiſſer prevaloir à ſon prejudice, les continu-
“‘ elles praticques et menees ſecrettes, que nos en-
“‘ nemis en ce royaume ſont journellement, pour
“‘ l'advancement de leurs dites pretentions ; travail-
“‘ lant d'autre coſté avec nos traiſtres ſubjets en
“‘ Eſcoſſe, par tous les moyens qu'ils peuvent,
“‘ pour haſter ſa ruine ; dont je ne demande autre
“‘ meilleure verification, que les charges donnees
“‘ à vos derniers deputez envoyez en Eſcoſſe, et
“‘ ce que leſdits deputez y ont ſeditieuſement pra-
“‘ tiqué, comme je croy, à voſtre deſceu, mais
“‘ avec bonne et ſuffiſante ſollicitation du Comte
“‘ mon bon voiſin à York.’”

“‘ This will be to you [a monition] to diſcharge
“‘ your conſcience towards my child, as to what
“‘ belongs to him on this point after my death ;
“‘ and in the mean time not to let prevail to his
“‘ prejudice, the continual practices and ſecret con-
“‘ ſpiracies, which our enemies in this realm are
“‘ making daily for the advancement of their ſaid
“‘ pretenſions ; labouring on the other ſide with
“‘ our traitourous ſubjects in Scotland, by all the
“‘ means which they can, to haſten his ruin ; of
“‘ which I do not demand other better verification,
“‘ than the charges given to your laſt deputies ſent
“‘ into Scotland, and what the ſaid deputies have
“‘ ſeditiouſly practiſed there, as I believe, without
“‘ your knowledge, but with good and ſufficient

"" ſolicitation of the Earl my good neighbour at "" York *.'"

"" Et à ce propos, Madame, par quel droiꝺt ſe "" peut maintenir, que, mere de mon enfant, je ſois "" totallement interdite, non ſeulement de le ſubvenir en la neceſſité ſi urgente où il eſt, mais "" auſſi d'avoir aucune cognoiſſance de ſon eſtat? "" Qui y peut apporter plus de ſoin, devoir, et ſincerité, que moy? A qui peut-il toucher davantage? Pour le moins, ſi envoyant vers luy pour "" pourvoir à ſa preſervation, ainſi que le Comte "" de Cheruſbery m'a fait dernierement entendre "" de voſtre part, il vous euſt pleu recevoir en "" cela mon advis; avec meilleure occaſion, ce me "" ſemble, et plus d'obligation vers moy, vous y "" fuſſiez intervenuë. Mais conſiderez ce que vous "" avez laiſſé a penſer, quand oubliant ſi ſoudainement les offenſes que vous pretendiez contre "" mon fils, lors que je vous requerois que nous "" envoyaſſions enſemble vers luy; vous avez deſpeché où il eſtoit priſonnier, non ſeulement ſans "" m'en donner advis, mais me reſtraignant au "" meſme temps de toute liberté, afin que par voye "" quelconque je n'en euſſe aucunes nouvelles.'"

"" And on this point, Madam, by what right

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* "Elle entend le Comte de Houdinton [Hondinton]." "She "means the Earl of Hondinton [Huntingdon]." So, in another letter (Keralio, v. 375), ſhe ſpeaks of "mon bon voiſin "le Comte de Hungtingdon."

"‘‘can it be maintained, that I, the mother of my child, am totally prohibited, not only from aſſiſting him in the neceſſity ſo urgent in which he is, but alſo from having any intelligence of his ſtate? Who can bring him more carefulneſs, duty, and ſincerity, than I? To whom can he be more near? At the leaſt, if ſending to him to provide for his preſervation, as the Earl of Cheruſbery [Shrewſbury] made me lately underſtand that you did, you had pleaſed to take my advice in the matter; you would have interpoſed with a better face, as I think, and with more obligingneſs to me. But conſider what you leave me to think, when forgetting ſo ſuddenly the offences which you pretended to have taken againſt my ſon, at the time I was requeſting you that we ſhould ſend together to him; you have diſpatched one to the place where he was a priſoner, not only without giving me advice of it, but debarring me at the very time from all liberty, that by no way whatever I might have any news of him.’’’

"‘‘Que ſi l'intention de ceux, qui ont moyenné en voſtre endroit ceſte ſi prompte viſite de mon fils, a eſté pour ſa preſervation et le repos du païs; ils ne doivent eſtre ſi ſoigneux de le me celer, comme choſe en quoy je n'euſſe voulu concourir avec vous. Ils vous ont, par ce moyen, fait perdre le gré, que je vous devois avoir. Et, pour vous en parler plaine-

"' ment, je vous prie de n'y employer plus de tels
"' moyens, n'y de telles perſonnes. Car, encores
"' que je tiens le Sieur de Kerri trop ſe reſſentant
"' du lieu dont il eſt ſorti, pour engager ſon hon-
"' neur en aucun vilain acte; il a eu un aſſiſtant,
"' partiſan juré du Comte de Hondinton, par les
"' mauvais offices duquel une ſi mauvaiſe action
"' n'a peu reuſſir, qu'à pareil effect. Il me ſuffira
"' donc, ſeulement que vous ne permettiez, que
"' de ce pays mon fils reçoiue aucun dommage
"' (qui eſt tout ce, que j'ay jamais requis de vous
"' cy devant, meſme lors qu'une armee fut envoyee
"' ſur la frontiere, pour empeſcher que la juſtice
"' ne fuſt faitte de ce deteſtable Morton); et que
"' nul des voſtres directement ou indirectement ne
"' s'entremeſle d'avantage des affaires d'Eſcoſſe, ſi
"' ce n'eſt de mon ſçeu,'"

"' And if the intention of thoſe, who have procured on your part this ſo prompt a viſit of my ſon, had been for his preſervation, and the repoſe of the country; they needed not to have been ſo careful in concealing it from me, as a matter in which I ſhould not have been willing to concur with you. By this means they have loſt you the good-will, which I ſhould have had for you. And, to talk to you more plainly upon the point, I pray you not to employ there any more ſuch means or ſuch perſons. For, although I hold the Lord de Kerri [Cary Lord Hunſdon] too ſenſible of the rank from which he is ſprung, to engage his honour in a vil-

“‘ lanous act; he has had for an aſſiſtant * a ſworn “‘ partiſan of the Earl of Huntingdon's, by whoſe “‘ bad offices an action as bad has nearly ſuc“‘ceeded to a ſimilar effect. I ſhall be contented “‘ then, only at your not permitting my ſon to re“‘ceive any injury from this country † (which is “‘ all, that I have ever required of you before, “‘ even when an army was ſent to the borders, to “‘ prevent juſtice from being done to that deteſta“‘ble Morton); and that none of your ſubjects “‘ directly or indirectly intermeddle any more in “‘ the affairs of Scotland, unleſs it is with my “‘ knowledge,’”

“‘ a qui toute cognoiſſance en appartient, ou avec “‘ aſſiſtance de quelqu'un de la part du Roy Tres“‘ Chreſtien, mon bon frere; lequel, comme noſtre “‘ principal allié, je deſire faire participant de tout “‘ en ceſte cauſe, pour peu de credit qu'il puiſſe “‘ avoir avec les traiſtres, qui detiennent mon fils “‘ à preſent.

“‘ Cependant je vous declare tout ouvertement, “‘ que je tiens ceſte derniere conſpiration et inno“‘vation, pour une pure trahiſon contre la vie de “‘ mon fils, le bien de ſes affaires, et celuy du pays; “‘ et que tant qu'il ſera en l'eſtat que j'entens qu'il “‘ eſt, je n'eſtimera parolle, eſcriture, ou autre acte,

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* “ Ceſtuy-cy eſt le fils aiſné du Milord Holden, parent “ d'Elizabeth.” “ This is the eldeſt ſon of Lord Holden, a “ relation of Elizabeth's.”

† Camden: “*per neceſſitudinem* igitur *inter nos conjunctiſſi*“*mam magnoperé rogo*, uti filii ſaluti ſeriò proſpicias.”

qui vienne de luy ou ſe paſſe ſous ſon nom, procedé de ſa franche et libre diſpoſition, mais ſeulement deſdits conſpirateurs, qui, au prix de ſa vie, ſe ſervent de luy pour maſque.’”

to whom all cogniſance of theſe things belongs, or with the aſſiſtance of ſome one on the part of the Moſt Chriſtian King, my good brother; whom, as our principal ally, I deſire to make privy to the whole of this cauſe, becauſe of the little credit that he can have with the traitours, who detain my ſon at preſent.

“‘ In the mean time I declare with all openneſs to you, that I hold this laſt conſpiracy and innovation, for pure treaſon againſt the life of my ſon, the good of his affairs, and that of the country; and that while he ſhall be in the ſtate in which I underſtand he is, I ſhall eſteem no word, writing, or other act, that comes from him or is paſſed under his name, as proceeding from his free and voluntary diſpoſition, but only from the ſaid conſpiratours, who, at the price of his life, are making him to ſerve as a maſque to them.’”

“‘ Or, Madame, avec toute ceſte liberté de parler, laquelle je prevoy vous pouvoir en quelque choſe deſplaire, ores que ce ſoit la verité meſme; vous trouverez, je m’aſſeure, d’avantage eſtrange, que je vienne maintenant à vous importuner encore d’une requeſte de beaucoup plus grande importance, et neantmoins tres-aiſée à vous de

“‘ me l'octroyer et effectuer. C'eſt que n'ayant
“‘ peu juſqu'icy, en m'accomodant patiemment ſi
“‘ long temps au rigoureux traittement de ceſte
“‘ captivité, et me deportant ſincerement en toutes
“‘ choſes, voire juſques aux moindres qui vous
“‘ touchoient bien peu, m'acquerir quelque aſſeurance
“‘ de voſtre bonne grace, ne vous en donner
“‘ aucune de mon entiere affection vers vous; toute
“‘ eſperance m'eſtant par là oſtee, d'avoir mieux
“‘ en ſi peu de temps qui me reſte à vivre: je
“‘ vous ſupplie en l'honneur de la douloureuſe paſſion
“‘ de noſtre Sauveur et Redempteur Jeſus
“‘ Chriſt, je vous ſupplie encore, un coup me permettre
“‘ de me retirer hors de ce royaume, en
“‘ quelque lieu de repos; pour chercher quelque
“‘ ſoulagement à mon pauvre corps, tant travaillé
“‘ de continuelles douleurs; et avec liberté de ma
“‘ conſcience preparer mon ame a Dieu, qui l'appelle
“‘ journellement.’”

“‘ But, Madam, with all this freedom of ſpeech,
“‘ which I can foreſee will in ſome ſort diſpleaſe
“‘ you, though it be the truth itſelf; you will find
“‘ it more ſtrange, I aſſure myſelf, that I come
“‘ now to importune you again with a requeſt of
“‘ much greater importance, and yet very eaſy for
“‘ you to grant and realiſe to me. This is, that
“‘ having not been able hitherto, by accommodating
“‘ myſelf patiently ſo long a time to the rigourous
“‘ treatment of this captivity, and carrying myſelf
“‘ ſincerely in all things, yea even to the leaſt
“‘ that could concern you a very little, to gain
“‘ myſelf ſome aſſurance of your good grace, or to

give you by it ſome aſſurance of my entire affection towards you; all my hope being taken away by it, of being better treated for the very ſhort time which remains to me of life: I ſupplicate you by the honour of the ſorrowful paſſion of our Saviour and Redeemer Jeſus Chriſt, again I ſupplicate you, at once to permit me to withdraw myſelf out of your realm, into ſome place of repoſe; to ſearch out ſome comfort for my poor body, ſo wearied as it is with continual ſorrows; and with liberty of my conſcience to prepare my ſoul for God, who is calling for it daily [*].’”

“‘ Croyez, Madame, et les medecins, que vous m'envoyaſtes cet eſté dernier, le peuvent avoir aſſez jugé; que je ne ſuis pour la faire longue, de ſorte qu'il ne vous peut reſter aucun fondement de jalouſie ou deffiance de ma part. Et, ce neantmoins, prenez de moy telles aſſeurances et conditions juſtes et raiſonnables, que vous les voudrez. La force plus grande reſte touſiours de voſtre coté, pour me faire garder; ores que pour choſe quelconque je ne les vouluſſe rompre. Vous avez aſſez eu d'experience de l'obſervation de mes ſimples promeſſes, et quelquefois à mon prejudice; comme je vous remonſtray ſur ce meſme ſubjet, il y a deux ans. Souvenez vous, s'il vous plaiſt, de ce que je vous

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[*] Camden: “ ut *æquis legibus poſt tot annos* libertati reſtituta, “ —*poſt diuturnum carceris ſqualorem*.”

"" eſcrivis lors; et que vous ne ſçauriez tant obli-
"" ger mon cœur à vous, que par la douceur, ores
"" que vous confiniez à perpetuité mon pauvre
"" corps languiſſant entre quatre murailles; ceux
"" de mon rang et naturel n'eſtant pour ſe laiſſer
"" gaigner, ou forcer, par aucune rigueur.

"" Voſtre priſon, ſans aucun droit et juſte fonde-
"" ment, a deſia deſtruit mon corps; duquel vous
"" aurez bientoſt la fin, s'il y continue gueres d'a-
"" vantage; et n'auront mes ennemis beaucoup de
"" temps pour aſſouvir leurs cruautez ſur moy; il
"" ne me reſte que l'ame, laquelle toute voſtre
"" puiſſance ne peut captiver. Donnez luy donques
"" lieu de reſpirer un peu plus librement ſon ſalut;
"" que ſeul elle cherche aujourd'huy, plus que
"" nulle grandeur de ce monde. Il me ſemble,
"" que ce ne vous ſçauroit etre grande ſatisfaction,
"" honneur, et advantage, que mes ennemis foulent
"" ma vie aux pieds, juſques à m'avoir eſtouffé
"" devant vous. Au lieu que, ſi en ceſte ex-
"" tremité, quoy que bien tard, vous me relevez
"" d'entre leurs mains, vous m'obligerez grande-
"" ment à vous, et tous ceux qui m'appartiennent,
"" ſpecialement mon pauvre enfant; duquel par
"" là vous vous pourrez paraventure aſſeurer."'

"" Believe, Madam, and the phyſicians, whom
"" you ſent me this laſt ſummer, are able ſuffi-
"" ciently to judge the ſame; that I am not for a
"" long continuance, ſo as to give you any founda-
"" tion of jealouſy or diſtruſt of me. And, not-
"" withſtanding this, take of me ſuch aſſurances
"" and conditions, juſt and reaſonable, as you ſhall

‘‘‘ chooſe. The greateſt power reſts always on
‘‘‘ your ſide, to make me keep them; though for
‘‘‘ nothing whatever would I wiſh to break them.
‘‘‘ You have had ſufficient experience, of my ob-
‘‘‘ ſervance of my ſimple promiſes, and ſometimes
‘‘‘ to my prejudice; as I ſhewed you upon this
‘‘‘ very point, about two years ago. Recollect,
‘‘‘ if you pleaſe, what I then wrote you; and you
‘‘‘ will not know how to bind my heart to you ſo
‘‘‘ much, as by kindneſs, though you keep for ever
‘‘‘ my poor body languiſhing between four walls;
‘‘‘ thoſe of my rank and nature not leaving them-
‘‘‘ ſelves to be gained or forced, by any rigour.

‘‘‘ Your priſon, without any right and juſt foun-
‘‘‘ dation, has already deſtroyed my body; of which
‘‘‘ you will ſhortly have the end, if it continues
‘‘‘ there a little longer; and my enemies will not
‘‘‘ have much time, for glutting their cruelties on
‘‘‘ me; nothing remains me but the ſoul, *which all*
‘‘‘ *your power cannot make captive.* Give it then room
‘‘‘ for aſpiring a little more freely after its ſalva-
‘‘‘ tion; which alone it ſeeks for at this day, more
‘‘‘ than any grandeur of this world. It ſeems to
‘‘‘ me, that it cannot be to you any great ſatisfac-
‘‘‘ tion, honour, and advantage, for mine enemies to
‘‘‘ trample my life under foot, till they have ſtifled
‘‘‘ me in your preſence. Whereas, if in this ex-
‘‘‘ tremity, however late it be, you releaſe me out
‘‘‘ of their hands, you will bind me greatly to you,
‘‘‘ and bind all thoſe who belong to me, particu-
‘‘‘ larly my poor child; whom you will perhaps
‘‘‘ make ſure to yourſelf by it.’’’

“‘ Je ne ceſſeray de vous importuner de ceſte
“‘ requeſte, juſqu'à ce qu'elle me ſoit accordee. Et,
“‘ pour ce, je vous prie me faire entendre voſtre
“‘ intention; ayant, pour vous complaire, attendu
“‘ juſqu'à preſent depuis deux ans, pour en renouveller
“‘ l'inſtance; dont l'eſtat miſerable de ma
“‘ ſanté me preſſe plus, que ne le pourriez penſer.
“‘ Cependant pourvoyez, s'il vous plaiſt, à l'amendement
“‘ de mon traittement par deça, que je ne
“‘ puis ſouffrir plus longuement; et ne me remettez
“‘ à la diſcretion d'autre quelconque, que de vous-
“‘ meſme, de qui ſeule (comme je vous eſcrivois
“‘ dernierement) je veux d'oreſnavant tenir tout le
“‘ bien et le mal, que je recevray en voſtre pays.
“‘ Faites moy ceſte faveur, que j'aye voſtre intention
“‘ par eſcrit, ou l'ambaſſadeur de France pour
“‘ moy. Car de m'arreſter à ce que le Comte de
“‘ Scheruſbery, ou autres, en-diront ou eſcriront
“‘ de voſtre part; j'ay trop d'experience, qu'il n'y
“‘ peut avoir aſſeurance pour moy; le moindre
“‘ ſubjet, qu'ils ſe fantaſiront *, eſtant ſuffiſant pour
“‘ innover le tout du jour au lendemain.’”

“‘ I will not ceaſe to importune you with this
“‘ requeſt, until it be granted me. And, on this
“‘ account, I pray you to let me underſtand your
“‘ intention; having, in order to comply with
“‘ you, waited even to the preſent day for two
“‘ years, to renew my urgency for it; for which the

“‘ miſerable

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* “ Elle uſe de ce mot, par ce que le Conte de Scheruſbery,
“ ſon gardien; *eſt* homme fort quinteux et fantaſque.”

“‘ miſerable ſtate of my health preſſes me more,
“‘ than you can think. In the mean time provide,
“‘ if you pleaſe, for the bettering of my treatment
“‘ *on this ſide*, that I may not ſuffer any longer;
“‘ and remit me not to the diſcretion of any other
“‘ whatever, but your own ſelf, from whom alone
“‘ (as I wrote to you lately) I wiſh for the future
“‘ to hold all the good and the evil, which I ſhall
“‘ receive in your country. Do me this favour,
“‘ to let me have your intention in writing, or the
“‘ embaſſadour of France for me. For to tie me
“‘ up to what the Earl of Scheruſbery [Shrewſbury],
“‘ or others, ſhall ſpeak or write about it
“‘ on your behalf; I have too much experience, to
“‘ be able to put any aſſurance in it; the leaſt
“‘ point which they ſhall capriciouſly fancy, being
“‘ ſufficient to innovate the whole from one
“‘ day to another.’”

“‘ Outre ce, dernierement que j'eſcrivis à ceux de
“‘ voſtre conſeil, vous me feiſtes entendre, que je
“‘ ne me devois addreſſer à ceux, mais à vous
“‘ ſeule (et ainſi d'eſtendre ſeulement leur credit
“‘ et authorité, à me mal faire, il ne ſeroit raiſonnable;
“‘ comme il eſt advenu en ceſte derniere
“‘ reſtrinction, où, contre voſtre intention, j'ay
“‘ eſté plus indignement traittee). Cela me donne

“ She uſes this word, becauſe the Earl of Shrewſbury, her
“ keeper, *is* a man very capricious and whimſical.”

The *preſent time* of the verb here, ſhows this note to have been written, when the Earl of Shrewſbury was yet the keeper of Mary.

"' tout occaſion de doubter, qu'aucuns de mes ennemis en voſtre-dit conſeil n'ayent expres procuré, que les autres dudit conſeil ne feuſſent participans de mes juſtes complainctes; ne voyans paravanture leurs compagnons adherer à leurs meſchans attentats contre ma vie *; ou que s'ils en avoient cognoiſſance, ils s'y oppoſeroient pour voſtre honneur, et leur devoir envers vous.

"' Deux choſes en fin ay-je principalement à requerir: l'une, que proche comme je ſuis de partir de ce monde, je puiſſe avoir pres de moy, pour ma conſolation, quelque honorable homme d'Egliſe; afin de me ramentevoir journellement le chemin que j'ay à parachever, et m'inſtruire à le parfaire ſelon ma religion, où je ſuis fermement reſolue de vivre et mourir.'"

"' Beſides this, the laſt time that I wrote to thoſe of your council, you made me underſtand, that I ought not to addreſs myſelf to them, but to you alone (and ſo to extend their credit and authority only to do me hurt, could not be reaſonable; as has happened in this laſt limitation, in which, againſt your intention, I have been treated with much indignity). This gives me every occaſion for doubting, that ſome of my enemies in your ſaid council may have procured it with

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* This ſhows attempts to have been made already upon the *life* of Mary; and (as ſhe thought) by ſome of Elizabeth's privy counſellors.

“‘ a deſign, of keeping others of the ſaid council
“‘ from being made privy to my juſt complaints;
“‘ leſt the others ſhould ſee perhaps *their compa-*
“‘ *nions*, adhere to their wicked *attempts upon my*
“‘ *life*; of which if they ſhould have any know-
“‘ ledge, they would oppoſe them for the ſake of
“‘ your honour, and of their duty towards you.

“‘ Two things I have principally to require at
“‘ the cloſe: the one, that, near as I am to going
“‘ out of this world, I may have with me, for my
“‘ conſolation, ſome honourable churchman; to re-
“‘ mind me daily of the courſe which I have to
“‘ finiſh, and teach me how to compleat it accord-
“‘ ing to my religion, in which I am firmly re-
“‘ ſolved to live and to die.”’

“‘ C’eſt un dernier devoir, qu’au plus chetif et mi-
“‘ ſerable qui vive ne ſe pourroit denier. C’eſt
“‘ une liberté, que vous donnez à tous les ambaſ-
“‘ ſadeurs eſtrangers; comme auſſi tous autres
“‘ Roys Catholiques donnent aux voſtres, exercice
“‘ de leur religion. Et moy-meſme je n’ay ja-
“‘ mais forcé mes propres ſubjets, à aucune choſe
“‘ contraire à leur religion; ores que j’euſſe tout
“‘ pouvoir et authorité ſur eux. Et que je ſeuſſe
“‘ en ceſte extremité privee de telle licence, vous
“‘ ne le pouvez juſtement faire. Quel advantage
“‘ vous reviendra-il, quand vous me le denierez?
“‘ J’eſpere que Dieu m’excuſera, ſi, par vous de
“‘ ceſte façon oppreſſee, je ne laiſſe de luy rendre
“‘ le devoir, qu’en mon cœur me ſera permis.

"'' Mais vous donnerez tres-mauvais exemple aux
"'' autres princes de la Chreſtienté, d'uſer vers leurs
"'' ſubjets de la meſme rigueur que vous me tien-
"'' drez, Royne Souveraine et voſtre plus proche
"'' parente; comme je ſuis et ſeray tant que je vi-
"'' vray, en deſpit de mes ennemis *.''"

"'' This is a laſt duty, which cannot be denied to
"'' the moſt mean and miſerable perſon that lives.
"'' It is a liberty, which you grant to all the foreign
"'' embaſſadours; as alſo all other Catholick Kings
"'' give to your embaſſadours, the exerciſe of their
"'' religion. And even I myſelf have not hitherto
"'' forced my own ſubjects, to any thing contrary
"'' to their religion; though I had all power and
"'' authority over them. And that I in this ex-
"'' tremity ſhould be deprived of ſuch freedom, you
"'' cannot with juſtice require. What advantage
"'' will redound to you, when you ſhall deny it to
"'' me? I hope that God will excuſe me, if, op-
"'' preſſed by you in this manner, I do not render
"'' to him any duty, but what I ſhall be permitted
"'' to do in my heart. But you will ſet a very bad
"'' example to the other princes of Chriſtendom,
"'' to act towards their ſubjects with the ſame ri-
"'' gour, that you ſhall ſhow to me, a Sovereign
"'' Queen and your neareſt relation; which *I am*

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* This is exactly in the ſame tone of magnanimity, in which ſhe wrote to her commiſſioners at London, againſt reſigning her crown (i. 3, 2, before). Camden: "apud Deum me excuſa-" tam iri ſpero, *et adverſarios non impunè laturos timeo.*"

"'*and will be as long as I live, in deſpite of mine enemies.*'"

"'Je ne vous veux importuner maintenant, de l'augmentation de ma maiſon; dont, pour le temps que je voy me reſter à vivre au monde, je n'auray pas tant de beſoin. Je vous demande doncques ſeulement deux ſemmes de chambre, pour me ſubvenir durant ma maladie; vous atteſtant devant Dieu, qu'elles me ſont tres-neceſſaires, quand je ſerois une pauvre creature d'entre le ſimple peuple †. Accordez les moy, en l'honneur de Dieu; et monſtrez en cela, que mes ennemis n'ont tant de credit envers vous contre moy, que d'exercer leur vengeance et cruauté en choſe de ſi peu de conſequence, et dependant d'un ſimple office d'humanité ‡.

"'Je viendray maintenant à ce, dont le Comte de Schieruſbery m'a chargee, ſi un tel que luy me peut charger; c'eſt a ſçavoir: que contre ma promeſſe faite à Beale, et à voſtre deſceu, j'ay negotié avec mon fils, pour luy ceder mon tiltre de la couronne d'Eſcoſſe; m'eſtant obligee de n'y proceder qu'avec voſtre advis, par un de mes ſerviteurs, qui en leur commun voyage ſe-

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† So Mary's attendants are ſaid by Paulet, to be "ſilly and "ſimple ſouls" (Robertſon, ii. 474).

‡ How low muſt Mary have been reduced by the oppreſſive hand of Elizabeth, when ſhe was forced to ſupplicate for ſuch a petty favour as this, in ſo earneſt a manner!

"" roit dirigé par l'un des voſtres. Ces ſont, me "" ſemble, les meſmes termes dudit Comte.'"

"" I would not now importune you, concerning "" the augmentation of my houſhold; of which for "" the time that I ſee remaining me to live in this "" world, I will not have ſo much care. I require "" then from you, only two women of the chamber, "" to aſſiſt me during my ſickneſs; atteſting to you "" before God, that they are very neceſſary to me, "" now I ſhall be a poor creature among this ſimple people. Grant theſe to me, for the honour "" of God; and ſhow in this inſtance, that mine "" enemies have not ſo much credit with you "" againſt me, as to exerciſe their vengeance and "" cruelty in a point of ſo little conſequence, and "" depending upon a ſimple office of humanity.

"" I will come now to that, with which the Earl "" of Scheruſbery [Shrewſbury] has charged me, "" if ſuch a one as he can charge me; which is "" this: that contrary to my promiſe made to "" Beale, and without your knowledge, I have "" been negotiating with my ſon, to yield to him "" my title to the crown of Scotland; when I had "" obliged myſelf not to proceed in it but with your "" advice, by one of my ſervants, who ſhould be "" directed by one of yours in their common journey thither. Theſe are, I think, the very words "" of the ſaid Count."'

"" Je vous diray la deſſus, Madame, que Beale n'a "" jamais eu aucune ſimple et abſoluë promeſſe de

‘‘‘ moy ; mais bien des ouvertures conditionnelles,
‘‘‘ auſquelles je ne pouvois en façon que ce ſoit
‘‘‘ reſter liee, ſans qu'au prealable les conditions,
‘‘‘ que j'y avois appoſees, fuſſent executees ;
‘‘‘ auſquelles tant ſ'en faut qu'il ait eſté ſatisfait,
‘‘‘ qu'au contraire je n'en ay jamais eu aucune reſponce,
‘‘‘ ny de ſa part ouy faire mention depuis.
‘‘‘ Et pour ce reſpect il me ſouvient tres-bien, que
‘‘‘ le Comte de Scheruſbery, vers Paſques dernieres,
‘‘‘ voulant tirer de moy nouvelle confirmation
‘‘‘ de ce que j'avois dit audit Beale ; je luy repliquay
‘‘‘ tout pleinement, que c'eſtoit ſeulement
‘‘‘ au cas que leſdites conditions me fuſſent accordees,
‘‘‘ et conſequemment effectuees. L'un
‘‘‘ et l'autre ſont encores vivants pour le vous teſmoigner,
‘‘‘ ſ'ils en veulent dire la verité. Depuis
‘‘‘ voyant que aucune reſponce ne m'eſtoit faitte ;
‘‘‘ mais, au contraire, que par delays et remiſes
‘‘‘ mes ennemis continuoient plus licentieuſement
‘‘‘ que jamais leurs pratiques, baſties dès le ſejour
‘‘‘ dudit Beale pres de moy, pour traverſer mes
‘‘‘ juſtes intentions en Eſcoſſe, ainſi que les effects
‘‘‘ l'ont bien teſmoigné ; et que, par ce moyen, la
‘‘‘ porte demeuroit ouverte à la ruine de mon fils
‘‘‘ et la mienne ; je pris voſtre ſilence pour refus,
‘‘‘ et me deſchargeay par lettres expreſſes, tant à
‘‘‘ vous qu'à voſtre conſeil, de tout ce que j'avois
‘‘‘ traitté avec ledit Beale *.’’’

‘‘‘ I will

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* This ſerves to ſhow, how treacherouſly Elizabeth acted with Mary, turning conditional agreements into poſitive for

her

“‘ I will tell you upon this, Madam, that Beale has not ever had a ſimple and abſolute promiſe of me; but indeed overtures conditional, to which I cannot remain bound in the faſhion in which the buſineſs is, unleſs the conditions, which I annexed to it, might be previouſly executed; about which ſo far is he from being ſatisfied, that on the contrary I have never had any anſwer from him, or heard mention of it ſince on his ſide. And on this account I remember very well, that the Earl of Scheruſbery [Shrewſbury], about laſt Eaſter, wanting to draw from me a new confirmation of what I had ſpoken to the ſaid Beale; I replied to him very fully, That it was only in caſe the ſaid conditions might be granted, and conſequently effectuated, to me. The one and the other are yet living to teſtify this to you, if they will tell the truth about it. Then ſeeing that no anſwer was made me; but, on the contrary, that by delays and neglects mine enemies continued more licentiouſly than ever their practices, formed ſince the reſidence of the ſaid Beale with me, in order to traverſe my juſt intentions in Scotland, ſo as the effects have been well witneſſed there; and that, by this means, the door remained open to the ruin of my ſon and of myſelf; I took your ſilence for a refuſal, and diſcharged myſelf by expreſs letters, as well to you as to your council,

her own advantage; and how openly and honourably Mary acted in return, revoking even conditional agreements by expreſs letters.

“‘ from all that I had treated upon with the ſaid “‘ Beale.’”

“‘ Je vous feis bien participante de ce, quel le “‘ Roy Monſieur, et la Royne Madame, m’avoyent “‘ eſcrit de leurs mains propres ſur cet affaire; et en “‘ requis voſtre advis, qui eſt encores à venir, avec “‘ lequel mon intention à la verité eſtoit de proceder, “‘ ſi vous me l’euſſiez en temps departi, et vous “‘ m’euſſiez permis d’envoyer vers mon fils; m’aſſiſtant “‘ és ouvertures que je vous avois propoſees, pour eſtablir entre ces deux royaumes une “‘ bonne amitié et parfaite intelligence à l’advenir. “‘ Mais de m’obliger nuëment à ſuivre voſtre advis, “‘ devant que ſçavoir quel il pourroit eſtre, et de “‘ ſoumettre, pour le voyage de nos gens, le mien “‘ à la direction du voſtre, meſmement en mon “‘ païs propre †; je ne fus jamais ſi ſimple, que de “‘ le penſer.

“‘ Maintenant je remets en voſtre conſideration, “‘ ſi vous avez ſçeu le faulx jeu, que mes ennemis “‘ par deça m’ont joüé en Eſcoſſe ‡, pour amener les “‘ choſes au poinct qu’elles ſont ‖; lequel de nous

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† What an un-reaſonable tyrant does Elizabeth here appear; a tyrant beyond all check and controul, of even common decency towards her ſiſter Queen!

‡ Mary here and before appears, to have ſeen perfectly into Elizabeth’s concern, in the ſeizure of her ſon by the Ruthvens. For that concern, conſult Camden, Tranſ. 275, Orig. i. 331, &c.

‖ “ Elle entend l’empriſonnement du Roy ſon fils, fait à “ Reuen.”

“ She means the impriſonment of the King her ſon, done by “ Reuen,” Ruthven Lord Gowry.

"" y a le plus ſincerement procedé. Dieu ſoit juge
"" entre eux et moy, et deſtourne de ceſte iſle la
"" juſte punition de leurs demerites."'

"" I made you fully privy to what Monſieur the
"" King, and Madame the Queen, had written to
"" me with their own hands upon this buſineſs;
"" and I aſked your advice upon it, which is yet to
"" come, with which it was in truth my intention
"" to proceed, if you had given it me in time, and
"" you had permitted me to ſend to my ſon; aſſiſting
"" me in the overtures which I had propoſed to
"" you, in order to eſtabliſh between the two realms
"" a good amity and perfect intelligence for the
"" future. But to bind myſelf nakedly to follow
"" your advice, before I knew what it would be,
"" and, for the journey of our ſervants, to put mine
"" under the direction of yours, even in my own
"" country; I was never yet ſo ſimple, as to think
"" of it.

"" Now I refer to your conſideration, if you
"" knew of the falſe game, which mine enemies *on
"" this ſide* have played me in Scotland, to reduce
"" things to the point at which they ſtand; which
"" of us has proceeded with the greateſt ſincerity.
"" God judge between them and me, and avert
"" from this iſle the juſt puniſhment of their demerits."'

"" Renvoyez encor un coup les advertiſſemens,
"" que mes traiſtres ſubjects de l'Eſcoſſe vous peuvent
"" avoir donnez. Vous trouverez, et je le
"" maintiendray devant tous les princes Chreſtiens,
"" qu'il

“‘ qu'il ne s'y eſt paſſé de ma part choſe quelconque
“‘ à voſtre prejudice, ne contre le bien et repos de
“‘ ce royaume; lequel je n'affecte moins que conſeiller
“‘ ou ſubjet que vous ayez, y ayant plus
“‘ d'intereſt qu'aucun d'eux.

“‘ Il ſe parloit, de gratifier mon fils du tiltre et
“‘ nom de Roy; et d'aſſeurer, tant luy audit tiltre,
“‘ que les rebelles de toute impunité de leurs offences
“‘ du paſſé; et de remettre toutes choſes en
“‘ un repos et tranquillité pour l'advenir, ſans
“‘ aucune innovation de choſe quelconque. Eſtoit-
“‘ ce oſter la couronne à mon fils? Mes ennemis,
“‘ comme je croy, ne voudroient pas qu'elle luy
“‘ fuſt aſſeurée; et pour ce ſont tres-contens,
“‘ qu'il la detienne par l'illegitime violence d'aucuns
“‘ traiſtres, ennemis de toute ancienneté de
“‘ toute noſtre race *. Eſtoit-ce la chercher juſtice
“‘ des offences paſſées deſdits traiſtres, que ma
“‘ clemence a touſiours ſurpaſſez?”’

“‘ Send back again at once the intelligence, which
“‘ my traitourous ſubjects of Scotland can have
“‘ given you. You will find, and I will maintain it
“‘ before all the Chriſtian princes, that no one thing
“‘ whatever has there paſſed on my ſide, to your
“‘ prejudice, or againſt the good and repoſe of this
“‘ realm; which I affect not leſs than any coun-

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* The Ruthvens &c. William Earl of Gowry, “not to degenerate from his father, who bare a deadly hatred againſt “ the King's mother,” ſeized the King (Camden, Tranſ. 274, Orig. i. 331). Camden renders “ il ſe parloit” by “ ex animo percupii.”

"" ſellor or ſubject that you have, having more in-
"" tereſt in it than any of them.

"" There was a negotiation, for gratifying my
"" ſon with the title and name of King; and for
"" making ſure, as well the ſaid title to him, as all
"" impunity to the rebels for their offences paſt;
"" and for re-placing every thing in repoſe and
"" tranquillity for the future, without any innova-
"" tion of any thing whatever. Was this to take
"" away the crown from my ſon? Mine enemies,
"" as I believe, wiſhed not at all that the crown
"" ſhould be made ſure to him; and on that account
"" are very content, that he ſhould keep it by the
"" unlawful violence of ſome traitours, enemies
"" from all antiquity to all our family. Was this
"" then to ſeek for juſtice upon the paſt offences of
"" the ſaid traitours, which my clemency has al-
"" ways ſurpaſſed?"'

"" Mais mauvaiſe conſcience ne peut jamais s'aſ-
"" ſeurer, portant continuellement ſa crainte en ſon
"" plus grand trouble avec elle-meſme. Eſtoit-ce
"" vouloir alterer le repos du pays; que de le pro-
"" curer par une douce abolition de toutes choſes
"" paſſees, et generale reconciliation entre tous nos
"" ſubjets? C'eſt ce que nos ennemis par deça
"" craignent, autant qu'ils font demonſtration de
"" la deſirer. Quel prejudice en cela vous eſtoit-
"" il fait? Marquez doncques, et faites verifier,
"" s'il vous plaiſt, en quelle autre choſe: j'en re-
"" ſpondray ſur mon honneur.

“‘ He ! voulez-vous, Madame, vous laiſſer tant
“‘ aveugler aux artifices de mes ennemis, que pour
“‘ eſtablir apres vous, et paraventure contre vous
“‘ meſmes, leurs injuſtes pretentions à ceſte couronne ;
“‘ vous les ſouffriez, vous vivante, et les
“‘ voyez ruiner et faire ſi cruellement perir ceux,
“‘ qui vous touchent de ſi pres, et de cœur et de
“‘ ſang ? Quel bien et honneur pouvez-vous eſperer,
“‘ de ſouffrir qu'ils nous tiennent, mon fils
“‘ et moy ſi longuement ſeparez, et luy et moy
“‘ d'avec vous ?’”

“‘ But an evil conſcience cannot ever be aſſured,
“‘ carrying continually its fear in its very great
“‘ trouble within itſelf. Was it to wiſh a change
“‘ in the repoſe of the country ; to procure it by a
“‘ mild pardon of every thing paſt, and a general
“‘ reconciliation between all our ſubjects ? This
“‘ is the point which our enemies *on this ſide* fear,
“‘ as much ſhow as they make of deſiring it. What
“‘ prejudice would be done to you by this ? Mark
“‘ then, and verify, if you pleaſe, by what other
“‘ point : I will anſwer to it upon mine honour.

“‘ Ah ! Will you, Madam, let yourſelf be ſo
“‘ blind to the artifices of mine enemies, as to
“‘ eſtabliſh after you, and perhaps againſt yourſelf,
“‘ their unjuſt pretenſions to this crown ; will you
“‘ ſuffer them in your lifetime, and look at them,
“‘ while they are ruining and ſo cruelly deſtroying
“‘ thoſe, who concern you ſo near both in heart and
“‘ in blood ? What advantage and honour can you
“‘ hope for, in ſuffering them to keep us, my ſon

"' and me ſo long ſeparated, and him and me
"' from you.'"

"' Reprenez les anciennes arrhes de voſtre bon naturel; obligez les voſtres à vous-meſmes; donnez moy ce contentement avant que mourir, que voyant toutes choſes bien remiſes entre nous, mon ame, delivree de ce corps, ne ſoit contrainte d'eſpandre ſes gemiſſements devant Dieu, pour le tort que vous aurez ſouffert nous eſtre faict icy bas; mais pluſtoſt, qu'eſtant bien unie avec vous, elle quitte ceſte captivité, pour s'acheminer vers luy, que je prie vous bien inſpirer ſur mes tres-juſtes et pluſque raiſonnables plaintes et doleances.

"' A Sheffeild ce 28. Novembre mil cinq cens octante deux.

"' Voſtre tres deſolee plus proche parente
"' et affectionnee couſine
"' MARIE R.'"

"' Reſume the antient pledges of your good-nature; bind your relations to yourſelf; give me the ſatisfaction before I die, that ſeeing all matters happily ſettled again between us, my ſoul, when delivered from this body, may not be conſtrained to diſplay its lamentations before God, for the wrong which you will have ſuffered to be done me here below; but rather, that being happily united to you, it may quit this captivity, to ſet forward towards him, whom I pray to inſpire you happily upon my very juſt and

“‘ more than reaſonable complaints and grie-
“‘ vances.

“‘ At Sheffield this 28. of November one thou-
“‘ ſand five hundred eighty-two.

“‘ Your very diſconſolate neareſt relation
“‘ and affectionate couſin
“‘ MARIE R.*’”

* Jebb, ii. 266—275. Camden: “ te” for *tuos* “ tibi ob-
“ liga; *principeſque cùm ſis, animum ad deponendam omnem offen-
“ ſionem erga me, principem conjunctiſſimam et tui amantiſſimam,
“ placabilitate emollias*;” and “ *aſſiduas* preces,” and “ *tandem*
“ *aliquando* inveniant,” and “ die *viii* Novemb.,” and “ af-
“ fectionee *ſeure*.”

This forcible and pathetick letter is rendered obſcure in places, by that which is incident to all letters, the quick glancing of the mind to and from circumſtances, familiar to the writer and the receiver, and therefore noticed in a curſory manner only. But it has been conſidered as ſo pathetick and ſo forcible, that Blackwood inſerted it entire in his MS. hiſtory of Mary's ſufferings, as appears from a note above, even while the Earl of Shrewſbury was yet the keeper of Mary, and before 1585; and actually publiſhed it in his hiſtory, ſo early as 1587. Camden alſo formed an abridgment of it, and placed it in his annals (Orig. i. 332—337, and Tranſ. 276—280). Dr. Stuart, too, has equally interrupted the courſe of his narrative with it; after he had ſpoken of it in theſe terms. “ When the intelli-
“ gence of the captivity of her ſon,” he ſays, “ and of the
“ bold proceedings of the conſpirators, reached Mary; her
“ care, agitation, and anguiſh were driven to the moſt affect-
“ ing extremity. And, giving vent to her ſenſibility, ſhe ad-
“ dreſſed a letter to Elizabeth, in which ſhe maintains her
“ dignity, while ſhe yields to her reſentments; and in which ſhe
“ has intermingled, in an admirable manner, the moſt fervent
“ proteſtations of innocence, and the boldeſt language of ex-
“ poſtulation and reproach. Its ability and vigour are uncom-
“ mon, and give it a title to ſurvive in the hiſtory of the Scot-
“ tiſh

"tiſh nation" (ii. 164). And Mademoiſelle De Keralio has publiſhed it a fourth time, in her Appendix, v. 349—356. But Camden's abridgment, which I admired much before I diſcovered the original, has loſt many of the beauties in the latter, and has ventured to make ſome additions of its own. Theſe I have noticed above. Dr. Stuart alſo has formed his copy of the letter, by abridging the abridgment of Camden, by copying his additions as parts of the original, and by licentiouſly paraphraſing all. And Mademoiſelle De Keralio, not attending to this conduct, and not knowing of the French original, has turned Dr. Stuart's letter into French, and given it to her readers for the true original. In this manner is hiſtory unintentionally falſified; and thus has the French letter been tranſlated back into French again! I therefore thought it requiſite, to act in a very different manner. I have given the original itſelf. I have added to it a tranſlation. I thus take leave of my reader, even in my Appendix, with a genuine letter of Mary's; which recapitulates the conduct of Elizabeth to her, in all its principal outlines; which ſhows Elizabeth to us, as we have ſeen her before, but with an addition of evidence, mean, tyrannical, inſidious, and ſavage; and alſo ſhows the ſoul of Mary to us, at the ſeeming approaches of death, recollected in its ſentiments, earneſt in its feelings, maintaining her innocence with awful ſolemnity, and appealing to that GOD, before whom ſhe thought ſhe was going to appear, for the vindication of her honour and the avenging of her wrongs. From the intereſting nature of diſtreſs, the elevating force of innocence, and the ennobling dignity of religion; the ſick and dying Mary here appears with a majeſty, before which the low-ſouled Elizabeth ſhrinks abaſhed and confounded. Every honeſt and generous feeling of our hearts, comes forward to the aid of the oppreſſed Queen. And we think of her oppreſſor, with diſguſt, with diſdain, and with deteſtation!

E R R A T A.

P. 25, l. 6, *for* “ all in” *read* “ in all”
28, 14, *for* “ attend and” *r.* “ attend; and”
39, 11, *for* “ Drumſay” *r.* “ Drumſoy”
73, l. laſt but one *for* “ Ladé Cecil,” *r.* “ Ladé, my Ladé “ Cicil”
82, 7, *for* “ linguente” *r.* “ linquente.”
95, note, l. 23 and 24, *for* “ Wanghton” *r.* “ Waughton”
173, 21, *for* “ ſave” *r.* “ ſaye”
233, 15, *for* “ two” *r.* “ too”
235, note laſt, *for* “ * Lenox's” *r.* “ § Lenox's”
296, 7, note, *for* “ quhilk-is” *r.* “ quhilk is”
311, laſt line but three, *for* “ about ſeven and twenty years ago” *r.* “ in 1758”
359, 2, *for* “ judicus” *r.* “ judices”
362, 18, *for* “ ſhe” *r.* “ the”
363, 17, *for* “ this” *r.* “ the”
384, 9—10, thus—draw it up for herſelf.

But the ſigning peers, it ſeems, were not content with this. They muſt have an additional authority from the Queen, for the bold act of recommending a huſband to her. So fearful were theſe turbulent barons become all at once, of entrenching upon their allegiance to the crown! They had already obtained a ſanction, for what they meant to do. They muſt now have a ſanction for what they had done. “ There was alſo ” with the licence, ſay the Engliſh commiſſioners here, “ in the copie of “ the bond” recommending a huſband to Mary, “ a copie of a “ warrant *followinge*, much to that effect” with the licence; “ ſavinge that the one did licence to doe, and *the other ſeemed to* “ *diſcharge and pardone that was done*; which bears date the 14th of *Maye*.” So ſtrongly guarded do the peers of Scotland here appear, with the fence of a royal commiſſion before, and with the barrier of a royal pardon behind! Accordingly that copy of the bond which was preſented at Weſtminſter *without* ſubſcriptions, not that which was preſented at York *with* them; and which ſtill remains among the papers of Cecil; ſtill exhibits a copy of this additional warrant, *annexed to it*. Between the warrant and the bond are theſe words interpoſed: “ to this” bond “ the Queene *gave her conſent* the night befoir the mariage, “ quhilk was the 14 day of *May*, the zeir of God forſaid, in this “ forme.” And then follows the pardon. “ The Queene's “ Majeſtie,” it ſays, “ haveing ſene and conſidderit the band “ above writtine, promittis in the word of a Princeſſe, That ſhe, “ nor her ſucceſſoris, *ſall nevir impute as cryme or offence to onie of the* “ *perſonis ſubſcryveris thairof*, thaire conſent and ſubſcriptioun to “ the matter above writtin, *thairin contenit*; nor that thai, nor “ thair heires, ſall nevir be callit nor accuſit thairfoir; nor zit “ ſall the ſaid conſent or ſubſcryving be onie derogatioun or ſpott "to thair honor, or thai eſteemit undewtifull ſubjectis for doing "thairof, notwithſtanding quhatſumevir thing can tend or be "allegeit in the contrare. In witnes quhairof her Majeſtie hes "ſubſcryveit the ſamyne with her awin hand." * So providently caſed in armour on both ſides, as theſe rebel peers peculiarly are, that come forward with ſuch peculiar zeal to ſhew all their ſecurities; who can now hurt them? Covered with a panoply, as immortal as its makers, and *forged* by Vulcanian art in the caverns of darkneſs; they fancy themſelves ſafe from every wound. But they are not. Indeed

Their armour helps their harm, cruſh'd in and bruis'd
Into their ſubſtance pent.

The ſecond warrant appears to be genuine, from an alluſion to it in the true contract †. But the ſolicitation of a ſecond proves the firſt to be a falſity. When they had already been *licenſed* to do what they did, what poſſible need, or what poſſible uſe, could there be of more? How could even the ſcepter of royalty extend its creative touch, to any thing farther for them? If the licence was not of ſufficient validity in itſelf, why did they ſend to obtain it? If it was, why ſhould they ſolicit for the warrant afterwards? The warrant forſooth was to forgive, what the licence had ſanctioned. The ſign manual of the Queen was to remit the offence, which this very ſign manual had authorized. *That* was even to *pardon*, what *this* had *compelled*; as they actually produced *that*, to *ſhow* they were *compelled* to ſign, "in *prouſe* they did it *not willinglie*." The Queen thus promiſes, "on the word of a Princeſſe," not to puniſh as a crime againſt her, what ſhe had even lent a written authority for doing; and not to conſider as "onie derogatioun or ſpott—to their honour," what they had been actually *compelled* by her *under a royal warrant to do*. And ſhe now "*gave her conſent*," as the rebels themſelves ſay, to what ſhe had *licenſed*, to what ſhe had *compelled*, before.

But "two hundred harkebuſiers," it ſeems, &c.

P. 516, l. 2, *for* "372—380" *r.* "372—378."

P. 521, 16, *for* "and yet the" *r.* "and the"

558, l. 3, from the bottom, thus:—Orig. 1. 413, Tranſ. 346. But let me ſubjoin one extraordinary evidence more concerning him. "Time and emulation," ſays Sir Robert Naunton, "had reſolved on his period; and, to cover him at the ſetting in a cloud at Cornbury, not by ſo violent a death, and by "the fatal ſentence of judicature, as that of his father's and "grandfather's was; but, as is ſuggeſted, by that *poiſon* which "*he had prepared for others*; wherein they report him *a rare* "*artiſt*" (Phenix, 1. 193). Such an infernal, &c.

P. 562, note, l. 15, *for* "intermediately" *r.* "immediately"

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* Anderſon, i. 111.

† P. 172. before.

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FINIS.

FH
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